



# LOCAL RULES AND ORDERS

MADE UNDER

## ENACTMENTS APPLYING

TO

## AJMER-MERWARA.

Published under Authority.

VOLUME III.

APPENDICES A. B. AND C. WITH SUPPLEMENT.



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## APPENDIX A.

MISCELLANEOUS RULES AND ORDERS NOT MADE UNDER THE PROVISIONS  
OF ANY GENERAL OR LOCAL ENACTMENT.*I.—Rules for the settlement of Boundary disputes between Native States in  
Rajputana and Central India, introduced into Ajmer-Merwara by the  
Chief Commissioner, 8th March, 1894.*

1. A representative from each State concerned shall attend the Boundary Officer at the disputed boundary. Such representative shall be provided with full written authority to act on behalf of the State in all matters relating to the boundary settlement, and his acts and proceedings in relation to the settlement shall be conclusive and binding upon the State which he represents.

Boundary  
Disputes.

The written authority with which each representative is furnished shall be taken by the Boundary Officer and filed in his records.

2. The Boundary Officer shall give written intimation to the States concerned of the boundary dispute which he proposes to take up, with the approximate dates on which he proposes to commence the enquiry, or enquiries, warning them to have written statements of their respective claims, together with all witnesses and evidence ready on his arrival at the disputed boundary. In fixing such dates due regard shall be had to the time that may be reasonably required for the proper preparation of the case and procuring the attendance of witnesses.

3. The Boundary Officer, in addition to the general notice given in accordance with Rule 2 shall, ten days before taking up a dispute, warn the representative of the exact date on which the investigation will be commenced.

On the date fixed, or as soon thereafter as possible, the Boundary Officer shall call on the representative of each State to give in at once the written statement of his claim, a list of the witnesses he proposes to call, and an abstract of the evidence, warning him that he will not be allowed to enter a fresh claim afterwards in respect to the matter in dispute, or to shift the ground, nature or extent of that given in.

4. On the arrival of the Boundary Officer on the ground in dispute, he shall call upon the representatives to show their claims. Each representative shall mark out his claim by flags in the presence of the Boundary Officer and the other representative.

The representatives shall be at the same time again warned that no fresh claim will after this be permitted, or any change in the ground, nature or extent of the claim.

The claims shown shall be mapped, and the map, attested by the signature of the Boundary Officer, shall be filed with the record.

5. If the witnesses and evidence are not ready on the date originally named by the Boundary Officer, he may postpone the case if good and sufficient cause be shown.

6. The authorized representatives of the Native States deputed to attend on the Boundary Officer shall not, on any pretext, leave him without his permission. Such permission, if given, shall be for a strictly stated period, and if the Boundary Officer thinks proper, he may, before granting such permission, require the representative to be relieved by another representative furnished with the authority described in Rule I.

7. In cases in which the boundary in dispute lies between one village on the one side and more than one village on the other, or between more than one village on each side, a separate record shall be prepared for each village concerned.

*Examples. (a).*—A boundary is in dispute between village A in the State of X and villages B, C and D in the State of Y. A separate record shall be prepared for the dispute between A and B, A and C and A and D.

*(b).* A boundary is in dispute between village A in the State of X and villages B and C in the State of Y, and between village D in the State of X and villages C and E in the State of Y. A separate record shall be prepared for the dispute between A and B, A and C, D and C, and D and E.

8. Pending settlement of the dispute, both parties shall be forbidden to perform in the disputed tract any act involving proprietorship, and the Boundary Officer shall make such temporary arrangements as may seem to him suitable for the preservation of property on the land, or for the cultivation of the land, or for the preservation of the produce or the proceeds of the sale thereof.

## *II.—Of Settlements by Agreement.*

9. The disputing parties shall in the first instance be allowed a definite time, usually one or two days, and in no case more than a week, within which to agree on the boundary between themselves.

10. If an agreement be thus effected, the Boundary Officer shall cause the fact to be recorded, and shall file with his record the original agreement signed by the representatives of the States concerned and attested by him.

He shall then map the boundary so agreed upon, and cause it to be demarcated with masonry pillars.

11. The Boundary Officer shall prepare and file with the record a full statement, in narrative form, of his proceedings in the case, and of the settlement effected, and shall furnish to each representative a copy of this statement and of the map referred to in the preceding rules as soon as possible.

12. There shall be no appeal in the case of a settlement effected as above by mutual agreement.

### *III.—Of Settlements by Arbitration, etc.*

13. If the parties fail to effect a mutual agreement as above, the Boundary Officer shall record the fact. The disputants shall then be allowed a definite time, usually one or two days, and in no case exceeding a week, within which to agree to the settlement of the boundary —

- (a) by a Panchayet of men agreed to on both sides; or
- (b) by a single Arbitrator similarly agreed to; or
- (c) by one or more men agreed to on both sides walking the boundary under an oath; or
- (d) in any other way agreeable to the customs of the district, to which both parties give their consent.

14. The agreement to settle the case by one or other of the modes described in the preceding rule shall be in writing. It shall be signed by the Boundary Officer, as also by the representatives of the States, and, whenever practicable, by the zemindars concerned, and filed with the record of the case before any steps are taken to effect the settlement under the terms thereof.

15. The settlement shall be proceeded with in the manner agreed on as soon as possible after the agreement is filed under Rule 14 and the Boundary Officer shall fix a reasonable time within which the settlement shall be concluded. Such period may be extended by the Boundary Officer for good and sufficient reason shown.

16. If a settlement be effected by any of the methods provided by Rule 13, no evidence shall be adduced or recorded. The Boundary Officer shall record the mode in which the settlement was effected, and shall then proceed as provided for in Rules 10 and 11.

17. There shall be no appeal from a settlement effected under Rule 13, except on the ground of corruption or misconduct on the part of one or more of the persons whose proceedings were material to the settlement. Any application to set aside the settlement shall be made to the Boundary Officer within ten days after the settlement has been accorded.

### *IV.—Of Settlement by the Boundary Officer.*

18. If the parties do not agree to the boundary as provided in Rule 9, or to the settlement of it by any of the modes described in Rule 13, or, if having agreed, the settlements be not effected within the time allowed under Rule 15, the Boundary Officer shall record the fact and shall then proceed to settle the case himself. He shall call upon the representatives of the States concerned to produce evidence in support of their claims as described in the written

statement referred to in Rule 3. He shall then proceed to settle the case on its merits unless immediately the parties tender such a written statement under Rule 9, or unless, in cases in which a written agreement to settle under Rule 13 has not already been made, the parties tender such a written agreement.

19. If on the date fixed under Rules 2 and 3, or on any other day to which the case may be postponed under these rules, the accredited representative of either party does not appear, or if, during the investigation, the representative of either party takes his departure without the permission of the Boundary Officer, the Boundary Officer shall record the fact, and investigate and determine the case *ex-parte*.

20. The Boundary Officer shall hear and record the evidence on both sides. He may call for evidence in addition to that produced by the parties, and shall particularly enquire for, and have regard to, old records or previous settlements bearing upon the disputed boundary.

21. The decision of the Boundary Officer shall be in writing, and signed by him. It shall contain, in narrative form, a full statement of his proceedings in the case, and shall set forth the grounds advanced by each party in support of its claim, and the grounds on which his judgment is based, and it shall be delivered by the Boundary Officer in presence of the parties.

22. At the time of giving his decision, the Boundary Officer shall invite the authorized representative of the States concerned to signify in writing their acceptance of it. If they accept it, the acceptance shall be attested by the boundary officer and filed with the record. The decision shall thereupon be final, and there shall be no appeal from it. If either or both decline to accept it, the Boundary Officer shall record the fact.

23. On giving his decision the Boundary Officer shall cause the line as settled to be carefully mapped, and shall file with the record a map showing the claims of each party and the line settled by him.

24. The Boundary Officer shall furnish to each representative, as soon as possible, a copy of his decision and of the map, and of the acceptance thereof if such has been given and filed.

25. When the representatives of both sides accept the decision of the Boundary Officer, he shall cause masonry pillars to be built demarcating the boundary settled. In cases in which both parties do not accept the decision of the Boundary Officer, temporary marks shall be made and pillars built after the decision has been confirmed by higher authority.

26. During the investigation of the case, the Boundary Officer may grant such postponements from time to time as he may consider necessary.

27. If either party causes unnecessary delay, or in any way wilfully obstructs the proceedings of the case at any stage, any additional expense that

may be caused thereby shall, if the Boundary Officer so determine, be charged to, and recovered from, the party causing delay or obstruction.

*V. — Of appeals from the settlement by the Boundary Officer.*

28. If either representative declines, or if both decline, to accept the decision of the Boundary Officer, an appeal may be made to the Agent to the Governor-General.

29. If the Agent to the Governor-General confirm the decision of the Boundary Officer, the decision shall be final, and there shall be no further appeal. If the Agent to the Governor-General modify or reverse the decision of the Boundary Officer, an appeal may be made to the Governor-General in Council, whose decision shall be final.

30. A certified copy of the decision of the Agent to the Governor-General shall be given to each party, or transmitted to them as soon as practicable.

31. Appeal shall be in the form of a memorandum which shall set forth concisely and under distinct heads the grounds of objection to the decision appealed against, without any argument or narrative, and shall, if the decision appealed against be that of the Boundary Officer, be delivered to the Agent to the Governor-General within sixty days from the date on which the Boundary Officer gave the representative a copy of his decision and of the map; and if that of the Agent to the Governor-General, within sixty days from the date on which the decision was pronounced.

*VI. — Of the preservation of the Boundary.*

32. After the permanent pillars have been erected on a boundary, if any be destroyed or injured, enquiry shall be made into the circumstances. The State to the subjects of which the damage is traced, shall be liable, on the judgment of the Agent to the Governor-General, to a penalty not exceeding Rs. 1,000. If it be impossible to trace the actual culprits, the State against which the decision was originally given shall be held responsible and punished accordingly.

33. If such injury be done after the expiry of ten years from the date of the completion of the pillars, the case shall be dealt with as the Agent to the Governor-General may at the time determine on a consideration of the circumstances of the case.

*VII. — Miscellaneous.*

34. These rules shall, *mutatis mutandis*, apply to cases in which the dispute is not regarding the actual boundary between one village and another, but whether a particular village or villages, the boundaries of which may or may not be disputed, belongs to one State or to another.



35. In cases referred to in the preceding rule, possession at the time of the establishment of British supremacy, *i.e.*, in Malwa and in Rajputana, A. D. 1818, and in Bundelkhund, A. D. 1803, shall determine the right, unless subsequently the matter has been otherwise determined by competent authority, or unless uninterrupted and undisputed adverse possession for a period of 25 years be proved.

36. These rules shall, *mutatis mutandis*, apply to cases in which a British Officer is employed to settle disputes between villages situated within the territorial limits of the same State.

37. The Boundary Officer shall submit an English report on each case settled by any of the preceding rules, with copies of the vernacular papers given by him to the representatives, through the Political Agent within whose charge he is working, to the Agent to the Governor-General. When a Boundary Officer is dealing with boundaries in dispute between States which are in relation with different British Administrations, he shall submit duplicate copies, one to each Administration.

*Supplementary rules for the guidance of Boundary Settlement Officers.*

1. Friendly relations with the motamids tend to smooth over many difficulties, and they should be treated with consideration and respect, more especially as they are the representatives of their respective Darbars.

2. A Boundary Settlement Officer should bear in mind that a mutual settlement is most satisfactory. In the first place there is no appeal against a mutual settlement, and if effected, it creates a friendly feeling between the representatives of the States concerned which materially facilitates the decision of adjacent disputed boundaries.

3. Success in bringing about mutual decisions is often more creditable to a Boundary Officer than decisions recorded after careful enquiry.

4. *Ex-parte* decisions should, if possible, be avoided.

5. The Boundary Settlement Officers should of course try to settle as many disputes as practicable during the camping season, and with this object, he should, as far as possible, proceed with several cases at a time. For instance, a Panchayet might be appointed and allowed to deliberate while the Boundary Officer is enquiring into a neighbouring dispute, or the surveyor might map one dispute, while the Boundary Officer is superintending the mutual decision of another.

6. Though the Boundary Officer is primarily deputed to settle a disputed boundary, he should try to remove chances of future disputes arising, *e.g.* :—

If there is a dispute between A and B and between C and D, there being no dispute as to the boundary between B and C, the Boundary Officer should persuade the parties to show the boundary from B to C and should forthwith demarcate it, A-B-C-D.

7. On or near a disputed boundary it will often be found that there is grazing land used in common by both parties, and so long as this continues to be grazing land, there is no dispute; but in the event of either side wishing to cultivate the land, a dispute is the sure result. In such cases it may be possible, by the exercise of tact, to induce the parties so to demarcate the common land as to avert future trouble; but this should be done with discretion, and if it should appear that the demarcation of the common land may lead to quarrels as to the mutual right of grazing over the whole, then the attempt to demarcate the common should be abandoned.

8. Difficult questions often arise where a stream is the recognised boundary between two villages. It may be useful to the Boundary Settlement Officer to have some knowledge of the principles by which the Officiating Agent to the Governor-General would be guided in deciding such questions, and they are as follows:—

- (i) When the stream is perennial, the boundary is an imaginary line drawn along the middle of the deep channel in the dry season.
- (ii) When the stream dries up in the dry weather, the boundary is a line drawn equidistant between the banks.
- (iii) When the stream shifts its course, the right to land, separated by sudden alluvion or diluvion rests with the party who owned the land before the alluvion or diluvion, but land accruing by gradual accretion belongs to the side to which it has accrued.
- (iv) When the stream consists of two or more distinct branches, then independent testimony should be taken as to which of the branches forms the boundary: and independent evidence may be obtained by questioning villagers not brought up by the motamids. The statements made by these independent witnesses should be recorded or attested in the presence of the motamids.

9. It should be understood that the principles noted in the foregoing paragraph are of a general kind and subject to modification upon evidence proving special circumstances, immemorial custom, prolonged possession and the like.

10. *Record and map.*—The Boundary Officer should, as far as possible, frame issues to be decided, and, in addition to clearly stating the reason for his decision upon each issue, he should briefly refer to any point which he considers likely to be raised in appeal.

11. In contested or important cases the Boundary Officer should invariably give English notes of the vernacular papers and depositions. These, like the decision, should be as short as is compatible with clearness.

12. In the case of a decision by Panchayet, the Boundary Officer should be careful to see that the decision is detailed and clear, and so worded as to

be capable of being interpreted in one sense only, and leave no doubt as to the exact intention of the Panches. All ambiguity should be avoided. An English translation of a Panchayet decision should be submitted with the record.

13. Witnesses should be examined on oath, and should not be allowed to wander from the points relevant to the dispute.

13 (A). Where Hindu or Muhammadan dates are referred to, the corresponding date according to the Christian era should be given.

14. The paragraphs of the proceedings should be numbered and clause should be lettered and the proceedings divided as follows :—

(a) Previous history of the dispute.

(b) Account of the Boundary Officer's proceedings.

(c) Record with English notes of the evidence.

(d) Decision.

(e) Definition of boundary.

(f) Map filed so as to face the reader.

15. The Boundary Officer should always describe the nature of the temporary marks set up by him, and give any particulars which may serve to indicate their position, in case of subsequent accident or fraud.

16. The map should be dated as well as signed.

17. The claims should always be shown, except of course in cases mutually decided, and in which no specific claims are made.

18. Every place or land mark mentioned in the decision, or likely to be mentioned in an appeal, should be shown on the map.

19. Names should always be spelt alike on the map and in the decision.

20. The direction in which a river flows should always be shown, and in the case of winding streams, the banks should be referred to as the right or left bank, looking down the course of the stream, not as the North or South bank.

Boundary  
marks.

1. Rules have already been framed for the preservation of Traverse Survey and Boundary marks, in the Ajmer and Merwara District, and each Wajib-ul-arz contains a clause providing for the restoration of Boundary, Survey and Plot marks at the cost of the Shamlat. It is, however, desirable that the rules in connection with this subject should be more clearly defined and formulated. The following rules are accordingly published for general information and guidance :—

1. The Assistant Commissioner will be responsible that the map supplied

to each village by the Survey Department, showing the position of all the survey marks within the village boundaries, is duly preserved.

2. All officers connected with the Land-Revenue Administration will take the opportunity afforded by their usual tours to inspect the marks shown on the village maps.

\* (1) Revenue Extra Assistant Commissioner.  
 (2) Tahsildar.  
 (3) Naib Tahsildar.  
 (4) Girdawar.

3. The Patels and Lambardars of each village are primarily responsible for reporting to the Patwari of their circle the destruction or removal of, or injury to, any boundary or other marks erected within the village limits by order of Government.

The other proprietors of the village shall be bound to report to the Patels and Lambardars the destruction or removal of, or injury to, any such marks should it come to their knowledge.

On failure of the Patels, Lambardars, or other proprietors of a village to report the destruction or removal of, or injury to, any such mark, they will be liable to a fine not exceeding Rs. 10, which will be recovered as arrears of Land Revenue.

4. In cases where any mark made by the Survey party to facilitate drawing boundary lines has been accidentally damaged, it shall be restored at the joint expense of the villages within which it is situated; but if it is proved that a particular person has purposely damaged or destroyed a mark, it shall be restored at his sole cost, and he shall be liable to prosecution under section 434 of the Indian Penal Code.

5. The village community is responsible for the preservation of Plot marks made for Field Survey. The cost of repairing such marks shall be defrayed by the person proved to have injured it; but if it be accidentally injured, the cost shall be defrayed by the Shamlat.

6. A Revenue Officer may, by a notice in writing, require any person liable for the revenue of any land, or entitled to hold such land free of revenue, to erect boundary marks sufficient for defining the limits of such land, or to repair any such boundary marks already existing; and if such person fails to comply with his requisition within a period to be specified in such notice, may cause the work to be done, and recover the cost thereof as if it were an arrear of revenue due in respect of such land.

7. Any injury to Survey marks within the Forest areas, and the cause thereof so far as can be ascertained, will be reported by the Forest Guard in charge of the beat to the Forester of his circle, who after verifying the correctness of the statement will immediately report the facts to the Forest Ranger, or in his absence, to the Extra Assistant Conservator of Forests. The

Extra Assistant Conservator of Forests will submit a report on the condition of the marks in the Forest areas within his jurisdiction to the Assistant Commissioner concerned on the 1st of March every year, and any requisite repairs will be executed through the Forest Department at the expense of the Shamlat or Government as may be decided, after considering the circumstances of the case.

8. Each Patwari will, at the time of Girdawari, inspect all the marks within the limits of the village, and will submit a report as to their conditions. He will correct in pencil any error he may find in the village map in regard to the Survey mark, after making a note thereof in the Khasra, and report the same to the Girdawar.

This report, after being verified by the Girdawar of the circle, shall be embodied in a general report to be prepared by that official for his circle.

9. The Girdawar will submit his report by the 1st March every year to the Tahsildar, who after satisfying himself of its correctness, will incorporate it in his report for submission by the 15th March to the Revenue Extra Assistant Commissioner. The latter officer will submit the report with his remarks and recommendations to the Assistant Commissioner by the 20th March.

10. The Collector will specially notice the condition of the Survey and Boundary marks in a separate paragraph of his Annual Revenue Administration Report.

#### *Carriage of Troops.*

I. When carriage is required for the passage of British troops through a Native State or the District of Ajmer written indents in the form prescribed in paragraphs 2302 and 2303 of the Bengal Army Regulations should be forwarded by the Military authorities to the Political Agent, or District Officer, so as to reach him at least 20 days before the date fixed for the march of the troops. Longer notice is required when the carriage has to be collected from or sent considerable distances.

II. The District Officer, or Political Agent in communication with the Darbar, will arrange for the supply of the carriage, and inform the Indenting Officer of the extent to which his indent can be complied with. He will forward the carriage to the Indenting Officer, under the charge of a Darbar or Tahsil official, with an English letter specifying the said official's duties and the limit of his jurisdiction. The official so deputed must accompany the troops as long as they require carriage from his Darbar or District; and any additional carriage required on the march must be procured through him. Payments should be made to, and receipts taken from him in the manner prescribed in paragraphs 2311 and 2312 of the Bengal Army Regulations.

III. A statement as prescribed in paragraph 2307 of the Bengal Army Regulations must be furnished by the District Officer or Political Agent after consultation with the Darbar to the Indenting Officer, who may reject such carriage as he does not approve of, paying the full hire from the date the carriage is taken up until the date of rejection.

IV. The Political Agent must arrange with the Darbar for relief of the carriage at suitable places, communicating with the Political Agent of the State or District Officer of the District which the troops will enter on leaving his own, with a view to the relief of the carriage as near the limits of the State whence it was supplied as may be possible.

V. Certificate in the form prescribed in paragraph 2313 of the Bengal Army Regulations must be furnished to each owner of carts or camels by the District Officer or Political Agent, who must arrange with the Darbar that these certificates serve as a protection against seizure on the way home for the use of troops.

VI. All communications with the Thakurs and headmen of villages should be conducted by Commanding Officers through the medium of the Darbar or Tahsil Official accompanying the troops.

VII. The particular attention of Commanding Officers is directed to  
 † *Vide* Appendix. paragraph 2309† of the Bengal Army Regulations.

VIII. The scale of baggage for which carriage will be furnished is given  
 ‡ *Vide* Appendix. in revised paragraph 2314‡ of the Bengal Army Regulations.

*Paragraphs of the Bengal Army Regulations referred to in the foregoing Rules.*

#### REFERRED TO IN RULE I.

2302. Not less than 15 days' notice is to be given to the District Officer

Notice to be given and of the quantity and description of carriage re-  
 nature of carriage. quired; and whenever it is known that carts are obtainable with great difficulty, or not procurable, the indents should show the number of camels that will be required in lieu. The indents should be accompanied by a copy of the route enumerating the halting places; and an intimation of the *precise* date on which carriage will be required should accompany the indent.

2303. The indent for the carriage required for that portion of the men's

baggage, for the conveyance of which Government  
 Indents for public and pri-  
 vate carriage to be separate. is responsible, must be invariably distinct from the indent for the carriage required for the rest of the men's baggage and for that of the officers. Each indent must state distinctly whether the charges for the carriage indented for will be paid by the State, or by the troops

themselves, so that there may be no question as to the quarter from which payment is to be claimed.

REFERRED TO IN RULE II.

2311. On the occasion of the discharge or exchange of carriage, the Commanding Officer should require the certificate of the Quarter-Master that every cart and camelman and cooly has been duly paid up in full. This certificate should then at once be communicated to the Civil authority, British or Native, accompanying the troops, who should be requested to verify its correctness by appeal to the parties paid, and then to append his countersignature as a voucher; such certificates should be in duplicate, one copy being retained by the regiment, and the other sent to the Civil Officer of the district concerned.

2372. In a detachment which has no Quarter-Master, the Commanding Officer should himself perform the duty of having the cartmen and others paid in his presence, the certificates being signed by himself and witnessed by an Officer or Non-commissioned Officer. Where there is no Civil Officer, the Commissariat Agent should be present at the payment and sign the certificate.

REFERRED TO IN RULE III.

2307. The Local Governments will fix the rates of the hire, back hire, Hire, fees and demurrage; demurrage, chowdrees' fees, etc., to be allowed in weights of loads. each district for the different kinds of carriage procurable there; and a District Officer, when making over carriage to the Commanding Officer, is to be careful to deliver to him in writing a full statement of the above particulars and of the weight to be carried by each cart, boat, or beast. Should this information not be received, Commanding Officers must apply for it, in order that no misunderstanding may exist on these very important points.

REFERRED TO IN RULE V.

2313. A passport (parwana) in English, Urdu, Hindi, and where necessary, Bengali, signed and sealed by the District Officer, is to be given to each person in charge of carriage. The carriage protected by this document shall not be liable to seizure on the way home for the use of troops, unless they are marching in the direction of the owner's house.

REFERRED TO IN RULE VII.

2309. Commanding Officers are responsible that the carriage is not overladen, that the beasts are not overdriven, and that the cartmen and parties in charge are properly treated.

Care of cartmen and cattle.





R A N K, ETC.	Service equipment, exclusive of camp equipage, for inland active service which officers provide from their tentage, and which they are required at all times to maintain ready to take the field at an hour's notice.	On occasions of ordinary movement or on relief at the expense of officers and others not including weight of tents, which are either carried free by Government, or for which carriage is kept up by officers out of their tentage.
	lbs.	Maunds.
Hospital Apprentices (unpassed) . . . . .	160	2½
Departmental Non-Commissioned Officers and men (Commissariat, Ordnance, etc).	160	5
Non-Commissioned Officers, Rank and File of British troops.	40	*
Native Commissioned Officers . . . . .	160	†5
Hospital Assistants . . . . .	160	†2½
Havildars and Native Medical pupils . . . . .	40	} †1
Naicks . . . . .	20	
Drummers or Buglers and Sepoys . . . . .	20	†½
European, Eurasian, and Native Clerks . . . . .	160	...
Band property . . . . .	...	36
Orderly Room . . . . .	...	18
Quarter Master's Office . . . . .	...	5
Paymaster's Office . . . . .	...	10
Armourer's shop . . . . .	...	18
Treasure chest . . . . .	...	18
MESSES.		Maunds.
Regiment of British Cavalry or Infantry. {	Officers . . . . .	24 170
	Sergeants . . . . .	8 10

\* These ranks are allowed carriage at the public expense at the rate of 2½ maunds or half camel-load, for Regimental and Battery Sergeant-Majors, Quarter-Master-Sergeants, Bandmaster-Sergeant, Instructors of Musketry and Fencing of all arms, Non-Commissioned Officers and men of Horse and Field Artillery, 18 seers each or 11 men per camel; Gunners of Garrison Artillery, 18 seers each, or five men per camel; if dismounted, one maund each, or seven men per camel; Garrison Artillery and Infantry, 33 seers each, or six men per camel.

† This is applicable to Hospital Assistants drawing marching batta. When carriage at the public expense is supplied, one-half maund is allowed.

ing scale:—

60 seers.  
30 "  
15 "

sepoys



2. The rate of hire per mensem shall be as follows:—

- (a) When the camels are required for more than three months, and exceed eight in number, Rs. 9 per camel.
- (b) When the camels are required for less than three months and are not less than eight in number, Rs. 10 per camel.
- (c) When the camels are required for less than three months, and are less than eight in number, Rs. 11 per camel.
- (d). When the camels are required for more than three months and are less than eight in number, Rs. 10 per camel.

3. The time for which the camels are required shall be stated at the time of hiring. If camels are engaged for more than three months, and are dismissed before the expiry of that term, they must be paid at the highest rate, *viz.*, Rs. 11 per camel. If camels are engaged for less than three months and kept on beyond such terms, the hirer will still have to pay at the higher rate.

4. The Chaudhri will receive a perquisite of  $\frac{1}{2}$  anna per rupee on the hiring. He will be required to deposit Rs. 100 security, which may be collected at first from his perquisites. This security, or part of such security, will be forfeitable at the discretion of the Assistant Commissioner for failure to carry out his agreement, and will be then payable at the said officer's discretion to parties suffering thereby.

5. Officers can make their own arrangements, if they so prefer, but in any case the Chaudhri will be entitled to collect his perquisite from the camel-owner.

6. A deposit must be made at time of hiring by the hirer of not less than a fortnight's hire. This at the hirer's request may be deposited with the Tahsildar.

*Rates of hire for baggage camels, each carrying 6 maunds.*

From Ajmer to	RATE OF HIRE.	
	When the camels relieved after reaching destination.	For return journey.
	Rs. A. P.	Rs. A. P.
Nasirabad . . . . .	0 10 0	0 5 0
Kekri . . . . .	2 0 0	1 0 0
Deoli . . . . .	2 12 0	1 6 0
Phinai . . . . .	1 4 0	0 10 0
Neemuch . . . . .	5 12 0	2 14 0

*Rates of hire for baggage camels, each carrying 6 maunds.—Contd.*

From Ajmer to	RATE OF HIRE.	
	When the camels relieved after reaching destination.	For return journey.
	Rs. A. P.	Rs. A. P.
Nyaungar . . . . .	1 6 0	0 11 0
Pali . . . . .	5 0 0	2 8 0
Anadra at foot of Abu Hill . . . . .	9 8 0	4 12 0
Pushkar . . . . .	0 8 0	0 4 0
Do, at the time of fair . . . . .	0 10 0	0 5 0
Kishangarh . . . . .	0 11 0	0 6 0
Jodhpore . . . . .	5 8 0	2 12 0
Bikaner . . . . .	6 8 0	3 4 0
Merta . . . . .	2 0 0	1 0 0
Phalodi . . . . .	6 8 0	3 4 0

*Riding Camels.*

If hired for a few days, or a month or two, at the rate of Rs. 30 per mensem.

If hired for six months certain, or for above six months, Rs. 25 per mensem.

When halting daily, 8 annas.

The contract rate for riding camel will be 6 kos per rupee.

*Staging Bungalow Rules. Sanctioned by the Chief Commissioner, 20th September, 1880.*

Applicable to the Bungalows at Ajmer, Nasirabad, Kekri, Sethana, Staging Bungalows, Mangliawas, Beawar, Jassakhera, and to the Pushkar Bungalow (except galow Rules during the fair time), and to half the Taragarh Bungalow.

1. All travellers, European or native, can claim shelter for 24 hours in a Staging Bungalow, for which they will pay a fee of one rupee each. Two rupees become due for 25 hours, three rupees for 49 hours' occupancy, and so on.

2. If a traveller remains not more than 3 hours, a fee of eight annas only will be charged.

3. No charge will be made for children under fourteen years of age.

4. European servants travelling with ladies will be charged at half rates. Native servants will not be charged for, unless they occupy a separate room.

5. European or native servants travelling with children without their master or mistress will be charged at full rates.

6. Should it be necessary for want of accommodation for two or more persons to occupy the same room, half rates only will be charged.

7. Priority of arrival gives no exclusive right of occupancy to any traveller or party of travellers. When necessary, on account of the number of travellers, half the accommodation of the Bungalow will be allowed to ladies.

8. No person can claim shelter in a Staging Bungalow for more than 24 hours. After the expiration of that time he must leave if required to do so by other travellers. Travellers staying more than one week in the Bungalows at Ajmer, Nasirabad and Beawar will, after that time, be charged double rates [1].

9. Travellers are requested on arrival at a Staging Bungalow, to enter their names, and hour of arrival in the book, which will be brought to them for this purpose.

10. Travellers are requested on their departure to enter in the traveller's book the amount of the stated fees paid by them in accordance with these rules, noting the time of their departure.

11. Travellers pitching tents in the enclosure of a Staging Bungalow and not using the Bungalow, will pay one rupee a day for each encampment if the Bungalow is not full. If the Bungalow is full, they will only pay eight annas for their encampment, provided that travellers using the Bungalow and paying the regular fees, will not be charged for tents at all.

12. A fee of four annas a day is to be paid for every wheeled vehicle, palanquin, horse, mule or other animal used for riding, driving, and for every tent, box or other property which is left in the compound of a Staging Bungalow after the departure of the owner.

13. Every person who obtains accommodation at a Staging Bungalow must pay the prescribed fees, whether travelling on duty or not.

14. Where a Khidmatgar is maintained, he will prepare food for travellers, who should previously enquire his charges, and must pay what he demands. Any complaint of exorbitant charges will be promptly enquired

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[1] The latter portion of Rule 8, *re* levy of double rent after a week, has been cancelled so far as the Dāk Bungalow of Beawar is concerned. See Secretary to Chief Commissioner's letter No. 85 C, dated 18th August, 1892.

into by the Secretary, District Fund Committee. If such a complaint be substantiated, the Khidmatgar will be fined or otherwise punished. A complaint book is kept up at each Bungalow, which is periodically examined.

15. Travellers or their servants, losing, breaking or injuring any furniture or other property belonging to the Bungalow, must pay for the damage done by them at the rates specified in a list kept by the servants in charge of the Bungalow.

16. Sweepers and Bhittis receive only a retaining fee from the Committee, and travellers requiring their services must pay for the same.

17. One-half of the Taragarh Bungalow is retained for the use of people engaging it in advance from the Secretary of the District Fund Committee for a term of ten days, at the rate of Re. 1-8-0 per diem. It can be re-engaged for one further term of ten days only, if there is no prior applicant, or if a medical certificate is produced. The other half of the Bungalow is guided by the ordinary rules.

*Rules for the Guidance of Istimrardars invested with Police duties and Judicial Powers. Sanctioned by the Chief Commissioner, 8.4 October, 1875.*

1. The duties of the Istimrardar, may be three-fold --

(1) Police—Report of Crime.

(2) Criminal {As Honorary Judicial Officer, either as a Magistrate

(3) Civil {Or as a Civil Judge.

*Rules for  
Honorary  
Magistrate.*

2. These rules or any portions of them may be extended from time to time, to any Jagirdar or other Native Gentlemen, by notification in the *Official Gazette* under the signature of the Chief Commissioner of Ajmer.

3. The Police duties are those which relate to the report of all offences occurring within his Estate or Circle, and are incumbent on all Istimrardars.

4. The Criminal duties are those connected with the trial and punishment of offenders, when the Istimrardar has been gazetted to use such powers.

5. The Civil duties relate to the hearing and decision of Civil suits, when the Istimrardar has been gazetted to exercise such powers.

the purpose of reporting to them directly all crime occurring in their villages. The Istimrardar is also bound generally to assist the Imperial Police in the prevention and detection of crime.

7. The Istimrardar must then report to the Government Police Station all offences committed within the limits of his Estate or Circle, and the limits of such Circle shall be determined by the Chief Commissioner from time to time.

8. On the occurrence of any serious offence, such as murder or violent rioting, the Istimrardar should, if required by the Police, either depute his Kamdar (Manager), or himself proceed to the spot to assist the Police in their investigation.

## CHAPTER II.—CRIMINAL DUTIES AS HONORARY MAGISTRATE OR JUDICIAL OFFICER.

9. The Criminal Jurisdiction of an Istimrardar extends to the cognizance of such offences as he is competent to try, if committed within the limits of his Circle.

*Exception.*—The Istimrardar is not competent to try or commit for trial any case in which his own relatives or servants are concerned. He must refer complainants to the Magistrate of the District, or the nearest Magistrate having jurisdiction. (*Section 201, Criminal Procedure Code.*)

10. The offences which an Istimrardar is competent to try vary according to the powers with which he has been invested, which will ordinarily be of the lowest class at first, to be increased from time to time as the Istimrardar shows fitness and competence in the discharge of Judicial work.

11. Istimrardars vested with the full powers of a Magistrate of the 1st class are competent to enquire into all offences mentioned in column 8 of Schedule II, annexed to the Code of Criminal Procedure, as triable by the Court of Sessions, under Chapter XVII, of the Procedure Code, and to commit the accused to the Sessions Court for trial. They are also competent to try offences punished under Special and Local Laws, when such offences are cognizable by an officer exercising the full powers of a Magistrate under sections 5 and 29, Criminal Procedure Code, and they shall also have the powers mentioned in section 36 of the Criminal Procedure Code.

12. Istimrardars invested with the powers of a Magistrate of the 2nd class, under sections 12 and 36 of the Criminal Procedure Code, are competent to try any of the offences enumerated in column 8 of the Second Schedule of the Criminal Procedure Code, as triable by a Magistrate of the 2nd class, and those invested with the powers of a Magistrate of the 3rd class, under the same sections of the Code, are competent to try any of the offences

enumerated in the Schedule annexed to the Criminal Procedure Code, as triable by such Court.

13. The powers which the three grades of Istimrardars are respectively authorized to exercise in cases within their competence to decide are as follows :—

*Istimrardars exercising the powers of a Magistrate of the 1st Class.*—Imprisonment of either description not exceeding the term of two years including such solitary confinement as is authorized by law, or fine to the extent of one thousand rupees. Whipping, or both imprisonment and fine in all cases in which both punishments are authorized by the Indian Penal Code.

*Istimrardars exercising the powers of a Magistrate of the 2nd Class.*—Imprisonment of either description not exceeding six months, including such solitary confinement as is authorized by law, fine not exceeding rupees two hundred. Whipping (if the Magistrate is specially empowered in this behalf by the Local Government) or both imprisonment and fine, in all cases in which both punishments are authorized by the Indian Penal Code.

*Istimrardars exercising the powers of a Magistrate of the 3rd Class.*—Imprisonment of either description not exceeding one month, or fine not exceeding rupees fifty, or both imprisonment and fine in all cases in which both punishments are authorized by the Indian Penal Code, but he may not pass a sentence of solitary confinement or of whipping. (*Section 32, Criminal Procedure Code.*)

14. In the course of a trial before a Magistrate, if the evidence shall appear to him to warrant a presumption that the accused person has been guilty of an offence which such Magistrate is not competent to try, or for which he is not competent to commit the accused person for trial, he shall stay proceedings, and shall submit the case to the Magistrate of the District for orders. (*Section 346, Criminal Procedure Code.*)

15. If in any case tried by a Magistrate of the 2nd or 3rd class having jurisdiction in which the accused person is found guilty, such Magistrate shall consider the accused person to call for a more severe sentence than he is competent to adjudge, he may record the finding, and if sentence has not been passed, may submit his proceedings and forward the accused person to the Magistrate of the District. (*Section 349, Criminal Procedure Code.*)

16. Whenever the Istimrardar imposes a fine or a sentence of which fine forms a part, he may order the whole or any part of the fine to be paid in compensation—

- (1) for expenses properly incurred in the prosecution ;
- (2) for the offence complained of where such offence can in the opinion of the Court be compensated by money, such payment shall be



made as the Court thinks fit to, or for the benefit of the complainant, or the person injured or both. The amount so awarded shall not be paid until the period prescribed for presentation of appeal has elapsed, or if an appeal has been presented, till after the decision of appeal. (*Section 545, Criminal Procedure Code.*)

17. All fines received should be sent at the end of the month to the nearest Government Treasury or Tahsil.

18. All trials shall be held by the Istimrardar between the hours of sunrise and sunset, in some place or building to which the public have free access.

19. The trial must be conducted by the Istimrardar in person, *i.e.*, the parties and witnesses must be interrogated, and the decision pronounced by himself.

20. The Depositions and Final Orders should be written in the Hindi character, and where possible by the Istimrardar in his own handwriting.

21. The depositions of the complainant and witnesses must be taken on solemn affirmation and in the presence of the accused, who should have full opportunity allowed him for cross-examining them.

22. No oath or affirmation should be administered to the accused person. (*Section 342, Criminal Procedure Code.*)

23. Confessions must be taken in the form prescribed for District Courts, in section 364, Criminal Procedure Code, and the Istimrardar should be particularly cautious that prisoners are not intimidated or coerced into confession. (*Section 343, Criminal Procedure Code.*) No confession or admission of guilt made to a Police Officer can be used as evidence against a person accused of any offence: nor can any confession or admission of guilt made by any person while he is in the custody of a Police Officer be used as evidence, except a dying declaration (*see Section 162, Criminal Procedure Code*), unless it be made in the immediate presence of a Magistrate (*vide section 164, Criminal Procedure Code*), unless any fact is deposed to, as discovered in consequence of information received from an accused person, when so much as relates distinctly to the fact thereby discovered may be proved in evidence. (*Sections 25, 27, Evidence Act I of 1872.*)

24. All Final Orders, *Robkars*, and *Purwanas* must be signed by the Istimrardar himself and bear the seal of his Court. All intermediate orders should bear his signature.

25. The Istimrardar must give copies of his orders to parties applying for them, on their furnishing paper of the proper stamp.

26. Witnesses should not be detained longer than is absolutely necessary.

27. Prisoners who have been convicted, should be despatched at once with warrant to the District Jail.

28. No delay should occur in sending persons under trial to the Magistrate of the District.

29. Male and Female prisoners should always be kept separate.

30. For the support of prisoners and indigent witnesses, the Istimrardar may disburse sums not exceeding one anna per diem for each person, and charge the amount in a bill to be sent in monthly to the Magistrate of the District. A mohurrir or writer will be provided at Government expense to each Honorary Judicial Officer to keep the Registers and Records, and to do such writing as is required of him by the Istimrardar.

31. If a case is not disposed of on the day it comes for trial, the accused person must be detained either in the Lock-up or on bail or on his personal recognizances, according to the provisions of the Criminal Procedure Code.

32. The Lock-up must be a suitable building, with proper accommodation for both sexes; it must not only be secure, but well ventilated and kept clean and open to inspection by the Magistrate of the District, and a Register of all persons confined therein must be regularly kept up, showing the time they were received and the time when they were released.

33. In Act X of 1882\* (*Criminal Procedure Code*), a list of all non-bailable offences is given; all other offences are bailable. A charge of abetment of a non-bailable offence is also non-bailable. If the accused is charged with a non-bailable offence, and if there appear reasonable grounds for believing that he is guilty of the offence imputed to him, he must be detained in the Lock up and cannot be admitted to bail. If the evidence be such as not to raise a strong presumption of the guilt of the accused, he may be admitted to bail though charged with a non-bailable offence.

A person charged with a bailable offence should be admitted to bail at any time before conviction. The amount of bail should never be excessive. In cases in which a summons on complaint shall ordinarily issue, that is, in cases triable by the Magistrate, and punishable under the Indian Penal Code with imprisonment not exceeding six months, the Istimrardar may admit the accused to bail, or allow him to be at large upon his personal recognizance as the Istimrardar may direct. If the accused cannot give bail when required, he should be committed to custody.

34. Honorary Magistrates of all kinds are expected to make themselves acquainted with the provisions of the Criminal Procedure Code and Indian Penal Code, and to conform precisely in all essentials, such as arrest, bail, sentences, jurisdiction, to the Codes of Law and Procedure, and in all such

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\* Act V of 1898.

matters the Appellate Court is bound by law to interfere; but in all unessential matters of procedure, though the Code must be conformed to as far as practicable, the Appellate Court is not allowed to interfere when there has been no failure of justice, and when the accused has not been prejudiced in his defence, but the attention of the Honorary Magistrate should always be called to such deviations from the strict letter of the Law for future guidance, and they should be as few as possible.

35. These rules in no way supersede the Codes of Law and Procedure; they are only circulated as a help to the Honorary Magistrates, and to draw attention to the most important and salient points of the Code.

36. In the trial of cases, the Istimrardar will do well to remember the following maxims :—

*Hear both sides.*

*It is better for the guilty to escape than for the innocent to be punished.*

*He who by insufficient enquiry causes the guilty to escape is himself condemned.*

Hearsay evidence is not to be admitted. Each witness must speak from his own proper knowledge.

37. The following Registers must be kept up :—

(1) A Register of all reports received, with the orders passed upon them recorded in the form shewn in Appendix I.

(2) A Register of persons under trial, in the form prescribed for District Courts.

(3) A Return of fines imposed.

(4) A Return of charges incurred for dieting prisoners, etc.

And such other Registers and Returns as may be required by the Magistrate of the District.

A copy of the above four Registers must be sent every month to the Magistrate of the District.

(5) The Monthly and Quarterly Civil and Criminal Statements prescribed for District Courts.

These will be sent monthly and quarterly to the Magistrate of the District.

### CHAPTER III.—CIVIL. AS HONORARY JUDGE IN CIVIL CASES.

38. The Istimrardar is empowered to hear and decide all civil suits, the cause of action in which took place in his Estate or Circle. Provided that the amount in dispute, or the value of the thing sued for, does not exceed Rs. 100. Istimrardars may be invested with powers, to decide such suits when the amount in dispute does not exceed Rs. 10,000, or such smaller sum as the Chief Commissioner may from time to time direct.

39. He must not, however, decide any case in which he himself, his family, or servants, are parties, or in which he is in any way beneficially interested, but should refer such cases to the Assistant Commissioner.

40. In disposing of suits the Istimrardar must follow the rules of Procedure laid down in the Civil Procedure Code, and such Circulars as may be sent from time to time, copies of which he must be provided with, but his attention is especially called to the following points.

41. Petitions of plaint must be received on stamp paper of the same value as that required for suits in the District Courts.

42. On hearing the petition, the Istimrardar will see that the plaint contains all the particulars required in section 50, Civil Procedure Code, he will receive and register it; if the plaint does not contain the particulars required, or if it contains particulars other than those required to be specified, or if it be unnecessarily prolix, or if the plaint be not verified; then the Istimrardar or Honorary Civil Judge will either allow it to be amended or reject it. (*Section 53, Civil Procedure Code*).

43. If the Istimrardar is satisfied—

*First*,—that the plaint is properly verified and stamped. (*Sections 51 and 52, Civil Procedure Code*).

*Secondly*,—that the claim is one in which he has jurisdiction;

*Thirdly*,—that the claim is properly valued and is not barred by the Law of Limitation;

*Fourthly*,—that the plaintiff has a *prima facie* case; he will summon the defendant in writing (through a messenger of the Court who will be paid by Government) to attend his Court on a particular day. The summons must contain directions stating whether it is for the settlement of issues only, which in the Istimrardar's Courts would ordinarily be the case, or for the final disposal of the case. (*Section 68, Civil Procedure Code*.)

44. The two parties will then be confronted, and the defendant's reply taken. The Istimrardar will thus be able to determine the points about which the two parties are in dispute, and such points are called issues.

These he will record, and then call upon each party to name the witnesses they wish to be summoned to prove or disprove each issue recorded for decision; a day will then be fixed for trial of the case, except in the rare instances in which summons was for final disposal, in which case the witnesses in attendance shall be examined and the decision given.

45. The parties and their witnesses will then be brought together; if possible on the appointed day, the depositions of plaintiff's and defendant's

witnesses will be taken on solemn affirmation ; and if necessary, the Istimrardar will call for further evidence himself. He will then decide the case from the evidence before him, and record his reasons ; if he grant a decree in the plaintiff's favour, he must be careful to record the date or dates on which the money is to be paid, and the decision of the case, and orders for payment, if any, should be announced by the Istimrardar in open Court in the presence of the parties concerned.

46. Upon application of either party, the Istimrardar will furnish a copy of his decision, from which an appeal will lie to the Assistant Commissioner. The Assistant Commissioner will proceed to dispose of the appeal, as provided in Ajmer Regulation I of 1877.

47. Appeals from the orders of Istimrardars vested with full powers will lie to the Commissioner.

48. If on the day appointed for the hearing of the case, the plaintiff only appears, the Court under section 100 (a), Civil Procedure Code, may proceed to try the case *ex-parte*, if due service of the summons on defendant be proved. If defendant only appears, and the plaintiff is absent, the Istimrardar shall pass judgment by default against plaintiff, under section 102, Act XIV of 1882, unless defendant admits the debt.

49. The Law of Limitation in suits must be looked for in the Second Schedule annexed to Act XV of 1877, but for ease of reference the more common cases of limitations are noted below ; in all other cases Act XV of 1877 must itself be consulted :—

Article.	Description of suits.	Term of limitation prescribed by Act XV of 1877.	Time when the period begins to run.
7	For the wages of a house-hold servant, artizan or labourer.	One year.	When the wages accrue due.
12 (a)	To set aside a sale in execution of a decree of a Civil Court.	Ditto.	When the sale is confirmed, or would otherwise have become final and conclusive, had no such suit been brought.
52	For the price of goods sold and delivered, where no fixed period of credit is agreed upon.	Three years.	Date of delivery of goods.
57	For money payable for money lent.	Ditto.	When the loan is made.
62	For money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use.	Ditto.	When the money is received.

Article.	Description of suits.	Term of limitation prescribed by Act XV of 1877.	Time when the period begins to run.
63	For money payable for interest upon money due from the defendant to the plaintiff.	Three years	When the interest becomes due.
64	For money payable to the plaintiff, for money found to be due from the defendant to the plaintiff on accounts stated between them.	Ditto.	When the accounts are stated in writing signed by the defendant or his agent duly authorized in this behalf unless where the debt is made by a simultaneous agreement in writing signed as aforesaid made payable at a future time and then when that time arrives.
65	For compensation for breach of a promise to do anything at a specified time or upon the happening of a specified contingency.	Ditto.	When the time specified arrives or the contingency happens.
66	On a single bond where a day is specified for payment.	Ditto.	The day so specified.
67	On a single bond, where no such day is specified.	Ditto.	The date of executing the bond.
68	On a bond subject to a condition.	Ditto.	When the condition is broken.
	For arrears of rent.	Ditto.	When the arrears become due.
145	Against a depository or pawnee, to recover moveable property deposited or pawned.	Thirty years.	The date of the deposit or pawn.

50. In applying the Law of Limitation, the following cases should be borne in mind:—

(a) In computing the period of limitation prescribed for review of judgment and for an application to set aside an award, the time is excluded requisite for obtaining a copy of the decree or order sought to be reviewed, or set aside.

(b) An acknowledgment of liability takes the case out of the Limitation Act, in respect of a debt, only if it has been made in writing signed by the party to be charged, or by his Agent duly authorized in this behalf (see section 19 of Act XV of 1877).

51. Where no limitation is provided the term of limitation is 30 years (Schedule 11, No. 120).

In the case of a Hindu excluded from joint family property, the period of limitation is 12 years from the time when the exclusion becomes known to the plaintiff. In suits by a Hindu for maintenance and suits to establish or set aside an adoption, the limitation is 12 and 6 years, respectively.

52. If the Istimrardar considers that a debtor cannot pay the debt or decree all at once, he may at time of decree fix such instalments as he may think are equitable; he may also give interest on the debt not exceeding 8 annas a month *per cent.* from date of decree in such cases as he considers interest should be paid, but he is not bound to give any interest.

53. *Execution of Decrees.*—On receiving an application for execution of a decree, the Istimrardar, if satisfied that the particulars therein recorded correspond with the original decree, shall order execution according to the nature of the application, and he should make every endeavour to recover the monies decreed for decree-holders.

The Istimrardars may in default of immediate payment order the judgment-debtor's moveable property, with the exception of the particulars specified in the first proviso to section 266, Civil Procedure Code, and section 20 of the Ajmer Courts Regulation I of 1877, to be attached by an Officer of the Court, and a proclamation of sale, within 15 days, should be issued, during which time any party having claims to the property can come forward; if no claim is made, the property will be sold by auction in liquidation of the debt. Land and wells not being situate within the inhabited limits of a town or village cannot be sold in execution of decree.

Should a claimant appear and the decree-holder admit the claim, the property will be released, but if not, the Istimrardar will make a summary enquiry into the merits of the objection in the same way as if the claimant or objector had originally been a defendant in the suit; should it appear probable from such summary enquiry that the claimant or objector has no good ground for objection, the Istimrardar will disallow it and refer the party to a civil suit; if, on the other hand, it appears that the claim or objection is *prima facie* a valid one, the Istimrardar will refer the decree-holder to a regular suit.

54. In executing decrees by imprisonment, the Court should be particularly careful to give effect to the provisions of sections 245 (a), 245 (b), 336, and 337 (a) of Act XIV of 1882, and to see that no person is imprisoned simply out of revenge, if he honestly has nothing with which to satisfy the decree.

55. The following maxims should be remembered :—

*No man is a just Judge in his own cause.*

*Hear the other side.*

*Tardy Justice is no Justice.*

56. The Istimrardars will be required to keep up the following returns; and to submit them punctually on the dates fixed to the Assistant Commissioner:—

- (1) Monthly Statement of Civil Suits.
- (2) Quarterly Statements in the form prescribed for District Courts.

#### CHAPTER IV.—GENERAL REMARKS.

57. In all cases of doubt, the Istimrardar is expected to seek the counsel and advice of the Assistant Commissioner. He should communicate, when in doubt, freely with him on all subjects relating to the working of his Courts, the Police arrangements, Roads, Tanks, Schools, Serais, Encamping Grounds, Surveillance of Dacoits, Thieving tribes and bad characters, etc., and the Assistant Commissioner will be bound to give all such communications, verbally or in writing, his best and earliest consideration.

#### APPENDIX I.

Register of Reports and Complaints with orders passed upon them to be sent weekly to the Assistant Commissioner.

No.	Date.	Name of Reporter.	Village.	Occurrence reported.	Order passed.

*Rules for the payment of expenses to Jurors and Assessors in Criminal Courts, sanctioned by the Government of India, 26th October, 1877.*

I. Every person summoned as a Juror or Assessor to attend the Sessions Court in Ajmer and Merwara shall, if his residence be more than five miles distant from the court to which he is summoned, be entitled to his *bona fide* travelling expenses, such travelling expenses not to exceed the railway fare to and from the court when the person summoned can perform the journey by rail. <sup>Jurors expenses.</sup>

II. Every person summoned as a Juror or Assessor shall, if detained by the Court for more than one day, be entitled to subsistence allowance <sup>for 122</sup>



whole term of his attendance at Court, such subsistence allowance not to exceed Rs. 5 *per diem*.

III. In every case in which a person is summoned as a Juror or Assessor, the Court at which his attendance is required shall, if he is entitled to travelling allowance under Rule I, determine the class by rail which he is entitled by reason of his rank or position to make use of, or in the event of his being unable to travel by rail, the *bond fide* travelling expenses which he has incurred coming to court and must incur on his journey homewards, and shall also determine the rate *per diem* at which subsistence allowance is to be granted under Rule II.

*Rules for the conduct of suits in which Government may be a party in the Ajmer and Merwara Districts.*

Government  
suits.

In amendment of this Office Notification, dated 8th August, 1874, the following rules for the conduct of suits in which Government is a party in the Ajmer and Merwara Districts, are published for general information :—

I. No suit on the part of Government can be instituted in any Civil Court, against any person, without the sanction of the Chief Commissioner.

II. Whenever it appears to the Assistant Commissioner, or to the Principal Executive Officer in other Departments, that a suit on the part of Government ought to be instituted in any Civil Court, he shall make a report of the circumstances for the Chief Commissioner's orders, submitting at the same time a copy of the proposed plaint, drawn up according to the requirements of the Code of Civil Procedure, in the language in ordinary use in the Court, together with an English translation on half-margin paper. The report must be full and complete, and must contain a clear statement of all the evidence by which the claim can be supported. If the claim is based upon a written document, a copy of the document must be sent ; copies of any other papers, the inspection of which is considered necessary to the elucidation of the case, must also be forwarded with the report.

III. When any suit is brought against the Government in the Civil Court, the Assistant Commissioner, or the Principal Officer of the Department concerned in the case, shall immediately enquire fully into the circumstances, and shall submit, with the least possible delay, a full report to the Chief Commissioner. For this purpose all summonses in suits instituted against Government, even if any other party is also implicated by name, shall also be accepted by the Assistant Commissioner (*as representative of*

*the Government*.) in order that any preliminary procedure that is necessary may be observed, while superior authority is being consulted.

IV. If the Assistant Commissioner or other officer, as above, be of opinion that they should be defended on the part of Government, the following papers will invariably be sent with the Report required by the last preceding rule:—

*1st.*—Copy of the plaint, with abstract translation in English.

*2nd.*—Draft of the proposed written statement to be tendered to the Court, in reply under section 110 of the Code of Civil Procedure in the language in ordinary use in the Court, together with a translation in English on half margin paper.

*3rd.*—Descriptive list of all documents which it is proposed to file as evidence, or of which production in Court is required, as provided by sections 70, 128, 129, 181, and 188 of the Code of Civil Procedure.

*4th.*—Copies of any papers, the inspection of which is considered necessary to the elucidation of the case.

V. In preparing the written statement proposed to be tendered in reply, the requirements of sections 114 and 115 of the Code of Civil Procedure must be carefully observed.

VI. On the receipt of the reports referred to in Rules II and III, the Chief Commissioner will issue explicit instructions regarding the institution or defence of the suit, as the case may be. These instructions will specify the person to whom the conduct of the case on the part of Government will be entrusted. This person will ordinarily, but not necessarily, be the Assistant Commissioner of the District where the cause of action has arisen.

VII. In case of urgent necessity where the delay necessary for reference to the Chief Commissioner may be very prejudicial, the Assistant Commissioner may, on his own responsibility, institute a suit, but he must immediately report having done so, and transmit full particulars as above.

VIII. On the receipt of the instructions referred to in Rule VI, the Assistant Commissioner or other person entrusted with the conduct of the case, will be responsible for all further measures that may be required. He need not apply for fresh instructions from the Chief Commissioner during the progress of the suit, except in case of doubt or difficulty. He will appoint the Government Pleader, or a fit person, to act as recognized Agent for Government in the suit, and will give such further instructions regarding the conduct of the suit as he may consider necessary.

IX. The Assistant Commissioner, or other officer entrusted with the conduct of the case, will send immediate information to the Chief Commissioner of the judgment passed in the suit. If the decision be against the Government and the presentation of an appeal be considered desirable, a report must at the same time be submitted for the Chief Commissioner's orders, stating fully the reasons for which this course is recommended. With it the following papers must be sent, *viz.*:—

1st.—A copy of the judgment and decree against which it is proposed to appeal, with an English translation of the judgment if it was not given in English.

2nd.—Draft of proposed memo. of appeal, drawn up in accordance with the requirements of the Code of Civil Procedure, together with an English translation on half-margin paper.

X. On the receipt of the report referred to in the last preceding rule, the Chief Commissioner will issue instructions in the manner desired in Rule VI.

XI. If the decision be in favor of the Government, and an appeal be made by the opposite party, the Assistant Commissioner, or other person who was entrusted with the conduct of the original suit, will take such measures as in his judgment may be necessary for defending the case in the Appellate Court. He need not apply for fresh instructions from the Chief Commissioner, except in cases of doubt or difficulty.

XII. Rules IX, X and XI will also, *mutatis mutandis*, be applicable to the judgments of the Appellate Court, and to cases in which it may be considered necessary to present an application for the admission of a special appeal on the part of Government, or in which a special appeal is preferred by the opposite party.

XIII. If a suit shall be brought against an Officer of Government, and the Chief Commissioner considers that the act or omission complained of was *prima facie* contrary to law and to the principles of justice, the suit will not be defended on the part of Government, but it will be left to the officer concerned to take such measures in the case, at his own expense, as he may think fit.

*Rules for the grant of copies, sanctioned by the Chief Commissioner, 19th May 1887.*

#### CHAPTER I. APPOINTMENT OF SECTION-WRITERS.

Copies of documents filed in the Courts and offices of Ajmer-Merwara

will be made by Section-writers appointed for each Court, with the previous sanction of the Commissioner and District Judge: the grant of copies.

Provided that in Courts and Offices where the copying work is not sufficiently remunerative for the employment of a Section-writer, the duty of preparing copies may, with the sanction of the Commissioner and District Judge, be delegated to a member of the Court or Office establishment.

2. So far as practicable, such Section-writers only should be appointed as are qualified under the standing orders of Government for employment in Government service.

3. The presiding Officer of each Court or Office shall exercise the necessary supervision with a view to ensure the correct and prompt preparation of copies, their delivery to the applicants, and the due accounting and adjustment of the fees realized from them.

4. In the Courts and Offices of the Commissioner, the Assistant Commissioners, the Judicial Assistant Commissioner, the Cantonment Magistrate, Nasirabad, and the Extra Assistant Commissioner, the Section-writers shall perform their work under the immediate supervision of the Head Clerk, Clerk of Court, or the Reader, as the presiding Officer may think fit.

5. The fees shall be collected in cash by the officer to whom applications for copies are presented, and shall be received by the particular Sectioner by whom they are earned; but nothing herein contained shall prevent the distribution of fees among the several Sectioners employed in a Court or Office in such manner as may be determined by the presiding Officer with the concurrence of the Commissioner and District Judge.

## CHAPTER II.—PERSONS WHO ARE ENTITLED TO COPIES.

9. For sufficient reason shown to its satisfaction, a Court may grant to a stranger to the suit copies of exhibits put in evidence, not being of the nature referred to in section 130 of the Indian Evidence Act, 1872.

10. An accused person, or a person affected by a judgment or order of a Criminal Court, is entitled to a copy of the judgment or order or any other proceeding.

*Explanation.*—A complainant is within the meaning of this rule.

11. The Magistrate of the District and the District Superintendent of Police are entitled to copies of judgments of the Court of Session.

12. A Commanding Officer or the Head of a Department is entitled to copies of judgments of the Court of Session in cases where a soldier or a public officer subordinate to him is convicted of an offence.

13. Government Law Officers are entitled to copies of decrees in pauper suits and appeals.

14. Government Law Officers, and any person specially authorized in this behalf by the Magistrate of the District, are entitled to copies of the whole or part of any record when required for the purpose of conducting any trial or investigation or appeal on the part of Government in any Criminal Court.

15. Copies of official correspondence and reports should not, as a rule, be granted. Should any one apply for a copy of a letter received from superior authority, he should be referred to the officer from whose office the letter issued.

### CHAPTER III.—COLLECTION OF COPYING CHARGES AND COMPUTATION OF STAMPS ON COPIES.

16. For the preparation of copies other than those granted free of charge under these rules, a uniform charge, which will be levied in cash, will be made at the rate of four annas for the first folio and two annas for each subsequent folio. Each folio shall be ruled and shall contain twenty-five lines, each line to contain no more nor less than six English or twelve Vernacular words.

17. The Court-fee payable under the Court Fees Act, 1870, will be levied by affixing the proper stamp to the first folio of the copy.

18. When a copy is chargeable with stamp duty under Article 22 of Schedule I of Indian Stamp Act, 1879, the heading of the copy, or, if there is no heading to be copied, then the first line of the copy will be written along the middle of the face of the sheet, bearing the impressed stamp which represents the stamp duty chargeable on the copy. (For Act I of 1879 read Act II of 1899.)

19. Under Article 1 (a), Schedule II, of the Court Fees Act, 1870, every application for a copy must bear a court-fee stamp of one anna, unless it be

made by, or on behalf of, a prisoner or other person in duress or under restraint of any Court or its officers, or be of the nature described in Rule 29.

20. For the purposes of these rules, copies chargeable under the Court Fees Act, 1870, are copies of (i) judgments or orders not being, or having the force of decrees; (ii) decrees or orders having the force of decrees; (iii) documents liable to stamp duty under the Indian Stamp Act, 1899, when left by parties to suits or proceedings in place of originals withdrawn under section 144 of the Code of Civil Procedure; (iv) any judicial proceeding not otherwise provided for by the Court Fees Act, 1870; and (v) any accounts, statements, reports or the like, taken out of any Civil or Criminal Court or Office.

21. The fees leviable are set forth in Articles 6, 7, 8 and 9 of Schedule I of the Court Fees Act, 1870.

22. Copies or extracts, certified to be true copies or extracts, by or by order of any public officer and not chargeable under the Court Fees Act 1870, are, unless exempted under Article 9 of Schedule II of the Indian Stamp Act, 1899, chargeable with stamp-duty under Article 22 of Schedule I of the latter Act, the terms of which are as follows:—

Copy or extract certified to be a true copy or extract, by or by order of, any public officer and not chargeable under the law for the time being in force relating to Court fees.	(a) If the original was not chargeable with duty, or if the duty with which it was chargeable does not exceed one rupee—eight annas.
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(b) In any other case—one rupee.

23. Court-fees are remitted on the following documents, namely:—

- (1) Copy of a charge framed under section 210 of the Code of Criminal Procedure, 1882, or of a translation thereof, when the copy is given to an accused person.
- (2) Copy of the evidence of supplementary witnesses after commitment, when the copy is given under section 219 of the said Code to an accused person.
- (3) Copy or translation of a judgment in a case other than a summons case, and copy of the heads of the Judge's charge to the jury, when the copy or translation is given under section 371 of the said Code to an accused person.
- (4) Copy or translation of a judgment in a summons case, when the accused person to whom the copy or translation is given under section 371 of the said Code is in jail.
- (5) Copy of an order of maintenance when the copy is given under section 490 of the said Code to the person in whose favour the order is made, or to his guardian, if any, or to the person to whom the allowance is to be paid.

- (6) Copy furnished to any person affected by a judgment or order passed by a Criminal Court of the Judge's charge to the jury, or of any order, deposition, or other part of the record, when the copy is not a copy which may be granted under any preceding clause of this Notification without the payment of a Court-fee, but is a copy which on its being applied for under section 548 of the said Code, the Judge or Magistrate, for some special reason to be recorded by him on the copy, thinks fit to furnish without such payment.
- (7) Copies of all documents furnished under the orders of any Court or Magistrate to any Government Advocate or pleader or other person specially empowered in that behalf for the purpose of conducting any trial or investigation on the part of the Government before any Criminal Court.
- (8) Copies of all documents which any such advocate, pleader, or other person is required to take, in connection with any such trial or investigation for the use of any Court or Magistrate or may consider necessary for the purpose of advising the Government in connection with any criminal proceedings.
- (9) Copies of judgments or depositions required by officers of the Police Department in the course of their duties.

*(Vide Notification of the Government of India No. 310, dated the 21st January 1886.)*

24. Court-fees payable under Articles 6, 7 and 9 of Schedule I of the Court Fees Act, 1870, have also been remitted by the Notification of the Government of India, Department of Finance and Commerce, No. 1361, dated the 24th June 1881, on copies furnished by Civil and Criminal Courts for the private use of persons applying for them. The effect of this Notification is that any copy chargeable under Article 6, 7 or 9 of Schedule I of the Court-fees Act, 1870, may be furnished by a Civil or Criminal Court on payment of copying charges only, and without payment of any Court-fee. If, however, the applicant, to whom a copy has been granted without payment of any Court-fee, wish afterwards to have it filed, exhibited or recorded in any Court or received by any public officer, he must, unless the copy be one on which Court-fees have been remitted, stamp it under Article 6, 7 or 9, as the case may be, before it is presented to such Court or public officer. Court-fees are not payable on copies of awards made under the Land Acquisition Act (Act I of 1894), when the copies are issued to persons claiming under such awards. Court-fees are not payable on copies issued to pauper plaintiffs, or appellants, of judgments and decrees in pauper suits or appeals.

25. A copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose is exempted from stamp-duty by Article 9, Schedule II, of the Indian Stamp Act, 1879.

26. No copying charges are payable on copies issued to the officers and under the circumstances described in Rules 11, 12, 13 and 14, and to an accused person or to a friend on his behalf under and subject to the provisions of sections 210, 219 and 371, Criminal Procedure Code, and on a copy given under section 490 of the same Code.

#### CHAPTER IV.—PROCEDURE TO BE FOLLOWED IN GRANTING COPIES.

27. An application for a copy must ordinarily be made by the applicant himself or by his duly authorized agent; but a prisoner, whether Civil or Criminal, may apply for a copy through the Superintendent of the Jail or through a friend.

28. If the application be made by a person representing himself to be a friend of the prisoner, on the prisoner's behalf, the application will be sent to the Superintendent of the Jail to be attested by the prisoner, and, if it be so attested, will thereafter be treated as the prisoner's own application. The Superintendent of the Jail will be desired to note on the application whether the prisoner wishes the copy to be delivered to himself or to the friend who applied for it.

29. Official letters from the persons referred to in Rules 11, 12, 13 and 14 will be treated as applications for the purposes of the copies referred to therein.

30. Applications made by the persons described in Rule 14 must state the purpose for which the copies are required.

31. Should the presiding Officer of the Court or Office be of opinion that the demand made by any such persons is in excess of what is necessary for the purpose stated, he may refuse to grant the whole or part of the copies applied for free of cost, in which case he shall record his reasons for their refusal.

32. An application for copies shall be addressed to the Court or Officer in whose custody the paper or papers of which copies are required are, but may be presented either to such Court or Officer, or to the Court of first instance or Officer, who originally dealt with the case in which such paper or papers are recorded, for transmission to that Court or Officer.

33. The Court or Officer to whom an application for copies has been addressed or transmitted for orders, under the last preceding rule, may pass an order granting or, for proper reason, refusing the copies: Provided that in



the latter case he shall record his reasons and return the application forthwith to the applicant, or send it for return to him to the Court or Office who transmitted it.

Any person aggrieved by such refusal may appeal to the Court or Office, to whom appeals from decrees or orders of the Court or Officer refusing the application lie.

34. If an application for copies is made to any Subordinate Court or Office the records of which are transmitted periodically to the Sadar Record-room, the presiding Judge or Officer may decline to direct grant of the copies from a record which will be required for transmission within five days from the date of such application, unless he thinks that the grant of such copies will not interfere with the transmission of the record on the prescribed date. When a copy is refused under this rule, the applicant may be referred to the Officer in charge of the Sadar records, or, if he so desires, the application may be transmitted to that Officer under Rule 32.

35. If an applicant for copies presents his application to a wrong Court or Office, such application shall be forthwith returned to him with instructions to present it to the proper Court or Office, unless it falls under the latter part of Rule 32 and the applicant wishes that it should be transmitted to that Court or Office, in which case the application shall be so dealt with.

36. When an application for copies is presented, as provided for in the latter part of Rule 32, to the Court of first instance or the original office, it shall be accompanied by a memorandum, requesting its transmission to the Court or Office to whom it is addressed.

The applicant when presenting his application shall deposit such sum (not less than Rs. 2) as he anticipates will cover all charges including the extra fee of four annas and remittance charges (if any) referred to in Rules 41 and 43, respectively, and mention such deposit in the application and the memorandum accompanying it.

37. The Court or Office receiving the application as aforesaid shall forward it to the Court to which it is addressed to be dealt with under Rule 33.

38. If the application is refused and sent back, it shall be returned to the applicant together with the amount deposited by him after deducting the fee of four annas referred to in Rule 41.

39. If the application is granted, the copy or copies applied for shall be made and forwarded to the Court or Office in which the application was presented for delivery to the applicant.

40. If the Sectioner who has to prepare the copy or copies finds that the sum deposited is insufficient to cover the charges, he shall at once cause a letter to be written to the Court or Office in which the application was presented, stating what further deposit is required:

Provided a letter shall not be necessary where the difference between the amount deposited and the amount payable does not exceed Rs. 2, in which case the excess charges may be recovered on delivery of the copy or copies.

41. On receipt of the copy or copies the Court or Office in which the application was presented shall hand it over to them or to the applicant, and return to him the balance (if any) of his deposit after deducting the copying charges and an extra fee of four annas to be paid as hereinafter provided, and such further sum as may be required to defray charges of remittance of the copying fee, etc., to the Court or Office in which the copy was made. The applicant's receipt for the copy and the balance, if any, shall be taken and forwarded to the Court which issued the copy or copies.

42. All correspondence under Rules 36 to 41 and 43 between the Court or Office receiving the application for copies, and the Court or Office issuing the copies, shall be written by the Sectioners appointed for the purpose by the respective presiding Officers—(one in each Court or Office)—each of whom shall be entitled to a fee of two annas for his trouble in each case.

The presiding Officer of a Court or Office may at his discretion remove any Sectioner appointed by him for the purpose of carrying on such correspondence.

43. The copying fee and the Sectioner's fee of two annas shall be remitted by the Court in which the money was deposited to the Court in which the copy was made by post office order or in postage stamps at the cost of the applicant, or in any other more convenient and cheaper mode of remittance to be determined in each case by the presiding Officer. If the Court or Office remitting the money be situated at a place where there is a Government Treasury, the remittance may be made monthly through it, no remittance charges being levied for the same.

When a remittance is made in postage stamps, an additional half-anna stamp for every eight annas' worth of stamps or part thereof shall be sent to cover commission.

44. All correspondence under these rules shall be signed by the presiding Officers of the Courts or Offices concerned and be franked with service stamps.

45. When an application for copy is received and granted, it shall forthwith be entered in the register of applications for copies, a form which is hereto appended (Form A). The number borne by the application in the register, the amount deposited in advance (which shall not be less than one rupee), and the value of stamp-duty levied (if any) from the applicant shall be noted on the application and initialled by the presiding Officer of the Court or Office, corresponding entries being simultaneously made in the

register under the direct supervision of the Reader or such other official as the presiding Officer may appoint.

46. The presiding Officer shall arrange for the prompt and punctual delivery of the documents to be copied to the Sectioner, and in no case such delivery shall be delayed beyond 24 hours. The Sectioner shall be bound to report all unusual delays to the presiding Officer, who shall take such action as he thinks fit.

47. The Official delivering an original document or proceeding to the Sectioner shall invariably take his receipt therefor in a receipt register (Form B) which shall remain in the custody of the Reader of the Court. When the document or proceeding is returned by the Sectioner, such return shall be forthwith acknowledged and dated by the receiving Officer under his signature in the appropriate column. This register as well as the register of applications shall be periodically examined by the presiding Officer himself with a view to ascertain that the delivery or return of papers is not unusually delayed and that the registers have duly been filled in from time to time.

48. All copies shall be written on one side of the standard paper for petitions. In the case of maps and plans or tabular statements, as many sheets of that paper may be pasted together as will be required for the copy applied for.

49. Copies to be delivered free of cost shall be written on paper supplied from office stationery and shall be written on both sides of the sheet.

50. The cost of paper for copies to be supplied on payment of fees shall be defrayed by the copyist making them.

51. Copies which a Court or Office is required under these rules to grant free of cost shall be made free of any charge for such Court or Office by the Sectioner or Sectioners appointed therefor under Rule 1.

52. Copies should ordinarily be granted within three days of the date of application. Any delay in granting them over a week should invariably be explained in an endorsement below the endorsements mentioned in Rule 54.

53. At the close of each day copies prepared for delivery on that date will, if not previously called for, be notified as ready for delivery by a notice in Form C affixed in a conspicuous part of the Court or Office.

54. Every copy granted under these rules shall be endorsed as follows:—

The cost of the copy in detail and the number of words copied.

The date on which the copy was applied for.

The date on which it was notified to be ready for delivery.

The date on which it was ready.

55. To prevent unauthorised alterations being made, the dates should be written in letters in a distinct handwriting, and the endorsement should be signed by the Officer appointed under Rule 63.

56. On the delivery of a copy to the applicant, the account of the deposit in cash and stamp shall be adjusted in his presence and entered forthwith in the register of applications for copies and the applicant's signature taken in acknowledgment of such adjustment in column 20 thereof.

57. If within the three working days next succeeding the date of the notice referred to in Rule 53 the copy be not called for, the orders of the presiding Officer shall be taken regarding the disposal of it.

58. If an applicant filed more stamps than are actually required, or if he withdraws his application for copy, unused stamps, together with the balance of his deposit, if any, or the whole of it, as the case may be, shall be returned to him in the presence of the officer referred to in Rule 63.

59. When an applicant does not appear within a week, or declines to make the necessary deposit and furnish the requisite stamp paper (where it is required) for his copy, or when he does not appear to receive unused stamps within a week of the preparation of the copy or of the withdrawal of the application, the application shall be submitted to the presiding Officer for orders, and the unused stamps filed with the record of the case to which the application relates. If the stamps be Court-fee stamps they shall be cancelled as required by law. If the applicant afterwards appear to receive the stamps, the non-judicial stamps, if any, will be returned to him, and as regards Court-fee stamps a certificate will be granted to him for their refund under the rules in force.

60. Except as provided for in the next rule, applications for copies shall be complied with in the order of their dates of receipt.

61. An applicant for copies is, on payment of double the ordinary fee payable under Rule 16, entitled to have his copies made and delivered to him on the day he presents his application: provided that he has presented it in the forenoon.

62. If, owing to the documents of which copies are applied for under the last preceding rule being very lengthy, copies could not be given to the applicant at the close of the day, the fact shall be reported to the presiding Officer and, subject to the orders he may pass, the copies shall be completed the next Court day.

63. No copy will be issued without a certificate being appended at its foot in the words "certified to be a true copy," and without being stamped with the seal of the Court or Office. Subject to the provisions of section 76

of the Indian Evidence Act, 1872, the certificate above referred to may be dated and subscribed—

- (a) in the Court or Office of the Commissioner, by the Superintendent of the Commissioner's office;
- (b) in the Courts or Offices of the Assistant Commissioners, by their respective Head Clerks;
- (c) in the Court of the Cantonment Magistrate of Nasirabad, by the Sub-Treasury Clerk;
- (d) in the Court of the Judicial Assistant Commissioner, by the Clerk of the Small Causes Court; and
- (e) in all other Courts and Offices by the presiding Officer:

Provided that the English copies granted by the Court of the Judicial Assistant Commissioner and the English and Vernacular copies granted by the Court of the Extra Assistant Commissioner shall, if not certified by such Officers, be certified by the Head Clerk to the Assistant Commissioner, Ajmer.

64. Before any copy is certified as mentioned in the last preceding rule, it shall be carefully compared with its original by the Reader of the Court or Office or by some other responsible member of the permanent establishment, who in token of his having done so shall countersign it, and shall also, if the copy bear a Court-fee stamp, cancel such stamp in the manner prescribed in the Resolution of the Government of India in the Finance Department, No. 3373, dated the 24th September 1875.

65. In the case of a copy to be substituted for an original, the fact that it is stamped under Article 8, Schedule I of the Court-fees Act, 1870, will be expressly noted at the top of the first sheet of such copy, and the note will be checked and attested by the official attesting the copy.

66. In the case of a copy falling under Article 22, Schedule I, of the Indian Stamp Act, 1879, the value of the stamp, if any, on the original, will be noted at the top of the first sheet of such copy, and the note will be checked and attested by the official attesting the copy.

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## FORM B.

*Requisition Register.*

1	2	3	4	5	6	7	8	9	10
Number.	Date.	Particulars of original papers required by copyist.	Official designation of Officer in whose custody the papers are supposed to be.	Signature of Official referred to in column 4.	Date of delivery of original to copyist.	Signature of copyist.	Date of return of original to Officer referred to in column 4.	Signature of Official.	REMARKS.

Columns 1, 2, 3 and 4 shall be filled in by the copyist immediately on presentation and admission of applications for copies. Columns 5, 6, will be filled in by the Official concerned at the time of delivery, and column 8 will be filled in by the copyist at the time of the return of the original to the Official referred to. When the office is closed, the register should be made over to the Reader of the Court for safe custody.

## FORM C.

## NOTICE.

*It is hereby notified that the following copies are ready for delivery.*

Date of Notice.	Name of applicant.	Description of copy ready.	Signature of Chief Ministerial Officer.
1	2	3	4

*Rules for Petition-writers, published by the Judicial Commissioner, 3rd May 1892.*

The following rules for the admission of petition-writers within the precincts of the Courts in Ajmer-Merwara are hereby published for general information:—

1. No person shall be allowed to practise the writing of petitions for hire in any Court, or on the premises, or in the compound of any Court, without having first obtained the permission, in writing, for so doing, from the Assistant Commissioner in charge of the District.

2. A person desirous of practising as petition-writer, within the precincts of a Court, must present a petition, duly stamped, to the Assistant Commissioner in charge of the District.

3. Every candidate for the office of petition-writer, before he can obtain the necessary permission, will have to prove satisfactorily—

(1) that he is of respectable character;

(2) that he can draw up a clear, concise and straight-forward petition, plaint or memorandum of appeal.

4. Permission, when given, shall be subject to the following conditions, which will be endorsed on the back of the application:—

(a) That the petition-writer shall sign each petition or document drawn up by him.

(b) That he shall comply with the order of any Court as to the amendment or re-drafting of a petition or other document drawn up



by him, if the Court considers such amendment or re-drafting necessary for the reason that the petition or other document is illegible, obscure, or prolix, or contains any irrelevant matter or misquotation, or is otherwise informal, or objectionable.

(c) That he shall continue to be of good behaviour.

5. Any permission so given may be revoked by the authority which granted it, or by any superior authority, on proof of misbehaviour on the part of the petition-writer.

6. A register of the authorized petition-writers in the form sub-joined shall be maintained in the office of the Assistant Commissioner, and it shall be the duty of the Court Nazir, or such other official as the Court may appoint in this behalf, to see that the precincts of the Court are kept free of all un-registered petition-writers.

7. These rules shall not in any way interfere with the power or discretion of a Court to admit or return for correction or amendment any petition or other paper presented to it.

8. Nothing in these rules authorizes any Court to refuse to take a petition, plaint or other paper merely on the ground that it is not written by an authorized petition-writer. A person seeking the aid of a Court is at liberty to get his or her petition, plaint, complaint, memorandum of appeal, or any other representation written how and where he or she pleases.

#### FORM.

Number.	Name of petition-writer.	Father's name.	Date of Registration.	Age on such date.	REMARKS.
1	2	3	4	5	6

*Rules for the sale of paper for Judicial petitions and copies. Chief Commissioner's Notification, 7th February 1895.*

Sale of Paper  
for Judicial  
petitions and  
copies.

The Chief Commissioner of Ajmer-Merwara having decided to reduce the price of the paper used for Judicial petitions and copies of judicial documents

from four pies a sheet to three pies a sheet, from the 1st April 1895, is pleased to issue, with effect from the date, the following Notification in supersession of that dated the 6th May 1881, and published in Part II of the *Gazette of India*, dated the 14th May 1881:—

The following rules for regulating the supply by the Stationery Depôt at Calcutta of paper of a standard pattern for judicial petitions and copies of judicial documents, the custody and sale of such paper, and the credit of the sale-proceeds to Government, are issued for information and guidance.

2. From the 1st April 1895, no other description of paper shall be used for copies of documents (whether in English or the vernacular) supplied to private parties *by judicial officers, and from that date* all licensed petition writers practising in the Courts of the Ajmer-Merwara District will be required to use this paper only.

3. In the case of copies supplied on payment of fees, the cost of the paper will be defrayed by the copyist; in the case of copies supplied by Government free of cost, no charge will be made for the paper, but the paper used for such copies must be duly accounted for in the annual statement prescribed by Rule VI.

4. The Assistant Commissioner, Ajmer, will carefully supervise the working of the arrangement in order to prevent vendors of the paper demanding more than the fixed price of three pies per sheet:—

I. Paper required for judicial petitions and copies of judicial documents shall be obtained from the Stationery Depôt at Calcutta by annual indent.

II. Requisitions for the paper shall be in the form prescribed for indents for stationery, and shall be submitted to the Commissioner of Ajmer by the Assistant Commissioner of Ajmer and Merwara not later than the 15th November in each year. The requisition shall provide for the requirements of all the Courts situated in the Ajmer-Merwara District, and shall show the amount of paper required for use during the financial year.

III. Expenses of carriage will be paid by the indenting officer out of his grant for judicial contingencies.

IV. The rules which regulate the custody of stamps and stamp paper shall apply, *mutatis mutandis*, to the custody of the paper.

V. The paper shall be sold to *ex-officio* and licensed vendors of stamps at Rs. 7-8-0 a ream for cash, for retail to the public at the uniform rate of three pies a sheet. Ordinarily not less than a quarter of a ream will be sold to an *ex-officio* or licensed vendor.

VI.—The receipts from the sale of the paper, calculated at Rs. 7-8-0 a ream, will be credited in the Treasury accounts to a distinct sub-head under "Stamps," the commission of one anna in the rupee, which shall be allowed to licensed vendors, being debited to the same head. At the close of each financial year, a statement of the operations of the year shall be submitted by the Treasury Officer to the Commissioner of Ajmer-Merwara in the annexed form:—

*Statement showing the receipt and consumption of petition paper during the year , and the financial results of the year.*

Sale of Judicial Paper.	Amount received.	Rms. grs. shs.	Annually expended.	Rms. grs. shs.
	Paper in store on April 1st .		Paper sold during the year .	
	Paper received during the year		Paper used for copies supplied free of charge	
			Paper in store on March 31st .	
	Total .		Total .	
	Receipts.	Rs. A. P.	Expenditure.	Rs. A. P.
	Paper sold to <i>ex-officio</i> and licensed vendors at Rs. 7-8-0 a ream		Commission paid to licensed vendors . . .	
			Carriage of paper from Calcutta to the head-quarters of the district .	
			Other expenses .	
	Total .		Total .	

Certified that I have personally satisfied myself that the balance of reams shown above was actually in store on 31st March last, and that Rs. being the price of at Rs. 7-8-0 a ream, were duly credited in the account of this Treasury during the year.

Date.....Treasury Officer.

*List of Railway Officers through whom summonses and attachment orders should be served on Railway subordinates, 1894.*

Service of  
Summons  
etc., on Rail-  
way Subordi-  
nates.

DEPARTMENT.	Office through which summonses to be served.	Office through which attachment orders should be served.
Management . . .	<i>Nil.</i>	Agent, Bombay.
Audit and Accounts . . .	Assistant and Coaching Division, Ajmer.	Chief Auditor and Accountant, Bombay.
Engineering . . .	Engineer-in-Chief, Ajmer.	Engineer-in-Chief, Ajmer.
Traffic . . .	Traffic Superintendent, Ajmer.	Traffic Superintendent, Ajmer.
Locomotive . . .	Locomotive Superintendent, Ajmer.	Locomotive Superintendent, Ajmer.
Carriage and Wagon . . .	Carriage and Wagon Superintendent, Ajmer.	Carriage and Wagon Superintendent, Ajmer.
Stores . . .	Deputy Store-keeper, Ajmer.	Chief Store-keeper, Bombay.
Medical . . .	Chief Medical Officer, Bombay	Chief Medical Officer, Bombay.
Police . . .	Assistant Inspector-General, Rajputana Malwa Railway Police, Ajmer.	Assistant Inspector-General, Rajputana Malwa Railway Police, Ajmer.

*Scale of fees to the Government Pleader for cases conducted by him on behalf of the Court of Wards. Sanctioned by the Commissioner, 19th January, 1900.*

In suits, or in appeals from original or appellate decrees in suits for money, effects or other personal property, or for land or other immoveable property of any description, when such suits or appeals are decided on the merits after contest:—

Pleader's fees  
in Court of  
Wards cases.

- (1) If the amount or value of the claim shall not exceed Rs. 5,000, five per cent.
- (2) If the amount or value shall exceed Rs. 5,000 and shall not exceed Rs. 20,000, on Rs. 5,000 as above, and on the remainder two per cent.
- (3) If the amount or value shall exceed Rs. 20,000 and shall not exceed Rs. 50,000, on Rs. 20,000, as above, and on the remainder one per cent.
- (4) If the amount or value shall exceed Rs. 50,000, and shall not exceed Rs. 80,000, on Rs. 50,000, as above, and on the remainder one-half per cent.

(5) If the amount or value shall exceed Rs. 30,000, Rs. 1,000.

When such suits or appeals are decided ex-parte or on confession of judgment, or when an appeal is rejected under section 549 of Act XIV of 1882:—

- (i) If the amount or value of the claim shall not exceed Rs. 5,000, not exceeding two and-a-half per cent.
- (ii) If the amount or value shall exceed Rs. 5,000 and shall not exceed Rs. 20,000, on Rs. 5,000 as above, and on the remainder not exceeding one per cent.
- (iii) If the amount or value shall exceed Rs. 20,000 and shall not exceed Rs. 50,000, on Rs. 20,000 as above, and on the remainder not exceeding one-half per cent.
- (iv) If the amount or value shall exceed Rs. 50,000, and shall not exceed Rs. 80,000, on Rs. 50,000 as above, and on the remainder not exceeding one-quarter per cent.
- (v) If the amount or value shall exceed Rs. 80,000, not exceeding Rs. 500.

2. In applications under sections 523 and 525, Act XIV of 1882:—

- (1) If the amount or value of the claim shall not exceed Rs. 5,000, not exceeding two and-a-half per cent.
- (2) If the amount or value shall exceed Rs. 5,000 and shall not exceed Rs. 20,000, on Rs. 5,000 as above, and on the remainder not exceeding one per cent.
- (3) If the amount or value shall exceed Rs. 20,000 and shall not exceed Rs. 50,000, on Rs. 20,000 as above, and on the remainder not exceeding one-half per cent.
- (4) If the amount or value shall exceed Rs. 50,000 and shall not exceed Rs. 80,000, on Rs. 50,000 as above, and on the remainder not exceeding one-quarter per cent.
- (5) If the amount or value shall exceed Rs. 80,000, not exceeding Rs. 500.

3. In an inquiry as to pauperism under Chapter XXVI, Act XIV of 1882, the fee payable to a Government pleader, who has opposed an application for leave to sue as a pauper, or has applied for the dispaupering of the plaintiff, shall be ten per cent. on the amount of the Court-fee that would be payable on the plaint if the suit were not brought by a person alleging pauperism: provided that no fee in excess of Rs. 75 shall be payable under this rule.

4. In appeals from orders and in other cases:—

- (1) If the amount or value of the claim shall not exceed Rs. 5,000, one and-a-quarter per cent.

- (2) If the amount or value shall exceed Rs. 5,000 and shall not exceed Rs. 20,000 on Rs. 5,000 as above, and on the remainder one-half per cent.
- (3) If the amount or value shall exceed Rs. 20,000 and shall not exceed Rs. 50,000, on Rs. 20,000 as above, and on the remainder one-quarter per cent.
- (4) If the amount or value shall exceed Rs. 50,000 and shall not exceed Rs. 80,000, on Rs. 50,000 as above, and on the remainder one-eighth per cent.
- (5) If the amount or value shall exceed Rs. 80,000, Rs. 250.

5. The words "the amount or value of the claim" in Rules 457, 458, 459 and 461 mean the value as set forth on the plaint, application or memorandum of appeal, and where Court-fees are payable *ad valorem*, the value according to which such Court-fees are paid.

*Rules for the working of the Normal School at Ajmer. Sanctioned by the Chief Commissioner, 12th April 1894.*

1. For the present, and until further orders, the number of stipendiary pupils studying simultaneously in the Male Normal School shall not exceed Normal School Rules.
2. They shall be divided into two classes, the 1st and 2nd class.
3. Any applicant who is likely to prove an efficient Village School Master, and to be qualified for employment as Naib or Master within two years, shall be eligible for admission into the school. Preference will, however, be given to candidates from the local village schools in the district. The selection will rest with the Inspector of Schools.
4. The ordinary course of study in the Normal School shall continue for a period of two years. During the first year the students will, as a rule, be in the second or lower class. At the expiration of that time they will, if qualified, be promoted into the higher class. The promotions will be determined by the Inspector of Schools.
5. The standard up to which the pupils will be educated to enable them to obtain a pass certificate at the end of their attendance at the school shall be not lower than that fixed for the middle class vernacular examination in North-Western Provinces and Oudh.
6. A monthly stipend of Rs. 5 will be allowed to each pupil during his attendance at the school.
7. When a candidate joins the school, his father or guardians, or the candidate himself, if above 18 years of age, shall enter into an agreement to refund all that he may receive by way of stipend if he does not satisfy the

test within two years from the date of his admission; or if, having been passed as qualified, he fails through any circumstances within his own control, to serve Government for a period of at least two years after leaving the school.

7. In no case, unless specially permitted by the Director of Public Instruction, can a candidate draw his stipend for more than two years. Immediate employment will be found for all passed candidates as far as vacancies allow. But in the event of no appointment being vacant at the time it is required, the candidate will be expected to support himself until he can be provided with a post as Naib or Master.

8. Should a candidate, who has been appointed Naib or Master, fail to give satisfaction in that capacity, he will be liable to be recalled to the Normal School on a reduced stipend for such time as the Inspector of Schools may think necessary.

*Shooting Passes in Government Forest Reserves, published by the Commissioner,  
23rd March 1893.*

Forest Passes.

In future, applications for Passes to shoot in the Ajmer-Merwara Government Forest Reserves should be made to the District Magistrates (Deputy Conservators of Forests) of Ajmer and Merwara, respectively.

2. The Pass will be granted by the District Magistrate, if, after reference to the Extra Assistant Conservator of Forests, and, if necessary, to the Conservator of Forests, he considers that there is no objection to its issue.

### AJMER-MERWARA FOREST PASS.

No. \_\_\_\_\_

Dated \_\_\_\_\_ 190 .

To

ALL FOREST OFFICERS AND GUARDS.

of the \_\_\_\_\_ Tract.

*Ajmer-Merwara.*

\_\_\_\_\_ with \_\_\_\_\_ persons  
is permitted to shoot in the \_\_\_\_\_  
tract, from \_\_\_\_\_ to \_\_\_\_\_  
subject to the conditions printed on the reverse.

*District Magistrate and*

*Deputy Conservator of Forests,*

*Ajmer-Merwara.*

# CONDITIONS.

- I. No fire shall be taken into the Forest Tract.
  - II. No smoking of any kind shall be allowed within Forest limits.
  - III. No trees shall be cut or injured.
  - IV. Only the number of coolies entered in the Pass shall be taken into the Forest.
  - V. No fence or boundary pillar shall be injured or destroyed in any way.
  - VI. The shooting at any time in the year of the Does of Sambhur, Nilgae, Chital, or other kind of Deer in the State Forests is prohibited.
  - VII. The shooting of all small Game is prohibited from the 15th March to the 30th September inclusive.
- NOTE.—The shooting of Peafowl and blue Pigeons at any time in the year in Ajmer District is prohibited.
- VIII. This Pass shall be carried into the Forest Tract and shown to any Forest Ranger or Guard on demand.

NOTICE.—Whoever enters a State Forest Reserve without a Pass will be treated as trespasser, and will be liable to be prosecuted if he enter, or do not leave, the Reserve, on being required to save it.

## *Rules for the preservation of records, sanctioned by the Chief Commissioner, 20th May 1876.*

It having been found necessary to provide rules for ensuring the safety of the different papers in a Misl, and for the preparation and security of the English portion of the Record, the Commissioner (with the assent of the Judicial Commissioner of Ajmer), directs as follows:—

Rules for the preservation of records.

1. The English abstract of all cases—Criminal, Civil, or Revenue, Depositions of witnesses, and Judgment, must in every instance be written on English paper of uniform size, and in all important cases Foolscap paper should be used, as Serampore paper is soon torn, and becomes illegible; on no account should Judgments ever be written on a scrap of paper, or on the back of the Vernacular petition or order, as is now not unfrequently the case.

2. On every sheet or separate paper, the number of the sheet, and the names of parties to the case, should be written in the Vernacular, as well as in English; the heading of the Deposition should also distinguish whether it is that of the plaintiff, defendant, the plaintiff's witnesses, or defendant's witnesses.

3. All English papers should be placed in full size without folding (as creases tend to tear the paper) between a cover of strong country paper, which should have the name of the Case and Court on it, in Vernacular, and they will then form a separate file of themselves, attached by string, however, to the Vernacular file; they should not be tied up indiscriminately with the Urdu papers, but should be separately strung together.

4. An additional fly-leaf is to be added to every Misl, containing an Index in Vernacular of the English papers, as well as the Vernacular papers, belonging to the Misl, to be signed by the Reader of the Court as correct; on which



5. The Reader of the Court will not let the Misl pass out of his hands till the Record-Keeper or other Munshi taking it has certified the correctness of the Index, which course will be followed by every succeeding Munshi who requires the Misl for any purpose.

6. All the files of Original, Miscellaneous and Appeal cases disposed of, should reach the Record Room within a month from date of disposal, and the practice that now obtains of keeping cases for a long time after decision must cease. The Presiding Officer of the Court will be held responsible for seeing this rule strictly carried out.

7. When an English Judgment is recorded, and one or both of the parties interested in the suit are natives, a Vernacular translation of such Judgment shall be put up, and form part of the Record ; the Officer presiding in the Court will be responsible (even if the translation is not made by himself) that it shall be a correct and intelligible translation of the Judgment, and it shall not be placed on the Record till it has been passed as correct and signed by the Judge.

8. In every Office, if not already existing, an Official must be appointed as a responsible Despatcher and Receiver of files, who before despatch to or receipt from another Court, District, or Division, will certify to the correctness of the Indices of Vernacular and English papers, immediately bringing to the notice of the head of the Office if any papers are missing. The last certifying Official will thus be made to feel his responsibility, and, it is believed, the loss or fraudulent abstraction of papers will soon cease.

9. When records or papers are called for by an Appellate, Revision or other Court, a list of the files in Vernacular shall be prepared in the annexed form, and transmitted with the files to the Appellate or other Court.

[illegible]

10. On receipt of the files by the Appellate or other Court, the proper Officer will check the list, and if correct, note the date, and sign it with his initial, if incorrect, he will make a note of the error on the list, and lay it at once before the Appellate or other Court for orders.

11. When the Appeal has been disposed of, the same list will be returned with files to the Lower Court. The Officer by whom the files were despatched in the first instance, will cause the list to be compared with the files received, and if correct will return it duly attested as such, to the Appellate Court, to be filed with the records of the case to which it belongs as a receipt ; such receipt should be forwarded not later than the day after the file has been received.

12. The despatching Officer should also satisfy himself, before transmitting the files, that the papers entered in the Indices of the files are complete. It occasionally happens that files are received unaccompanied by the English Judgment, Arbitration Award, or some other important paper ; if the course now enjoined be strictly followed, no such accidental losses, or fraudulent abstractions, can happen, being discovered at once, and the fault brought home to the responsible Official.

*Office Library Rules, sanctioned by the Government of India (Home Department), 28th April 1877.*

1. The books in each Office must be collected together in one place under the charge of the Head Clerk. If practicable, a separate room should be assigned to them. Office Library Rules.

2. A revised Catalogue must be prepared from time to time, and missing books accounted for.

3. No books must be removed from the Library without the permission of the Head of the Office.

4. A receipt must be invariably taken from an Officer removing a book, to be returned to him or cancelled when the book is returned to the Library.

5. Every Officer, upon receiving charge of an Office to which a Library is attached, must satisfy himself as to the state of the Library. Unless he then reports that the books are out of order, or that any volumes are missing, it will be assumed that he received the Library in good order, and he will be thenceforward personally responsible for any defects.

6. The state of the Library is to be mentioned in the Annual Report.

7. The volumes of the Board's Circular Orders and of the select High Court Rulings, supplied for the use of each Revenue Court and Office, are to be entered in the Library Catalogue, and not carried away from the

district upon the transfer of an officer unless (in the case of a Deputy Collector) he is not to be replaced, and is going to take charge of a new office, and not in succession to another officer. The accumulated monthly issues of an incomplete volume are to be counted as one volume only.

*Office Stationery Rules, sanctioned by the Chief Commissioner, 2nd May, 1888.*

Office Sta-  
tionery Rules.

1. Every officer supplied with Government stationery shall, by order in writing, place the stationery stores in charge of a responsible clerk, who shall keep an account of receipts and issues in the form of account supplied by the Stationery Department, and shall, except in the case of ordinary requisitions, submit all demands for the special orders of the Head of the office and take proper acknowledgments for all quantities issued by him.

2. The stationery stores shall be kept under lock and key, the official in charge being personally liable for any loss occurring through his neglect or wilful breach of the rules.

3. The Head of the office shall make a monthly examination of the stationery accounts and satisfy himself that all stationery issued is used exclusively for the public service, and that the rules regulating its consumption are strictly adhered to.

4. The Commissioner may from time to time call for and examine the stationery account kept in offices subordinate to him.

5. Immediately after the end of the year the Head of the office shall cause the stationery accounts to be closed, so as to show the consumption for the preceding 12 months up to the 31st of December and the balances in hand, and may, if he thinks necessary, send for and examine the vouchers supporting the issues entered in the account.

6. The Head of the office shall also take stock of the stationery and satisfy himself that it represents correctly the balances struck in the books.

7. Indents for stationery shall be prepared as soon as possible before the 10th day of January, and shall be submitted in triplicate to the Commissioner, who shall carefully check the quantities indented for with special reference to the actual requirements of the Indenting Officer, as established by consumption in his own and kindred offices, and shall disallow quantities in excess of the average consumption of the past three years, or which appear to him to be unnecessary. The indents so passed by the Commissioner shall be submitted in duplicate to the Superintendent of Stationery, Calcutta, so as to reach him by the 1st day of February.

8. On receipt of the supply, the Indenting Officer shall endorse his receipt for the same in the copy of the indent forwarded to him by the

Stationery Office, and submit it to the Commissioner for transmission to the Superintendent of Stationery.

9. In preparing indents for stationery the following points should be very carefully attended to :—

- (a) That the figures showing receipts, expenditure and balances represent actual facts ascertained from the Stationery Account Book.
- (b) That the estimate of probable consumption during January, February and March is made with due regard to economy.
- (c) That the estimate of requirements is framed for a period of twelve months, commencing from 1st April following the submission of the indent.
- (d) That such Estimate is based strictly on the quantity consumed during the preceding year after taking into account the stock-in-hand, and, in the case of articles regulated by a fixed scale, those in use and serviceable for a period of six months or more.
- (e) That no demand for durable articles lasting for more than one year is made, unless the title to a new supply is established under the fixed scale, and the Indenting Officer has ascertained by personal inspection that the renewal of the existing supply has not been necessitated by want of care in its preservation.
- (f) That the maximum limits prescribed in the scale are not exceeded under any circumstances.
- (g) That indents for marble paper, paste-boards and mill-boards for binding specify the number of books to be bound.

10. It shall be the duty of the head of the Office to enforce the strictest possible economy in the use of Government stationery. Foolscap paper should be used only by the heads of Offices in preparing records of revenue and judicial cases, and documents of a permanent character; and fair copies of letter and reports. For drafting purposes, and for bills, accounts, figured statements, etc., paper of an inferior kind should be used.

11. For all Vernacular work country paper only shall be used, each Office providing itself therewith out of the sanctioned budget allotment. Care should be taken in the purchase of country ink, twine and other petty stores which are not supplied by the Stationery Office. The District Nazir, or any other officer specially authorized in this behalf, should be held responsible for keeping an account of such purchases and their supply to the indenting offices.

*Office Stock Account Rules, published by the Commissioner, under the Chief Commissioner's sanction, 27th January 1887.*

Office Stock  
Account  
Rules.

I. A stock book in the subjoined form will be kept by every Civil Officer showing the live-stock, European and other stores, and moveable property in his custody, including iron safes, European locks, European scales and weights, tents, ordnance stores, machines of European manufacture, scientific and mathematical instruments.

*Stock Book of the \_\_\_\_\_ of \_\_\_\_\_ District.*

Serial Number.	Date of receipt.	Name of article with description.	Number of pieces.	Cost.	Initials.	Date of disposal.	Value realized.	Initials.	REMARKS.

- (1) In case of stock on hand at the opening of the original register, it is only necessary to give date of receipt for tents and other articles which are renewed after fixed periods.
  - (2) Of muskets and similar articles, large numbers may be received at one time; a column for number has therefore been provided; and if all are not returned into store at once, the number returned at each time should be noted in the column of date of disposal.
  - (3) If the value credited by the Ordnance Department for returned stores be not known to the officer who returned them, the column of value realized will be blank in his register.
  - (4) In the columns provided for initials, the initials of the Head of the office will be set against each entry in the original register; in the copy filed in the Commissioner's Office the entries will be initialled by the clerk responsible for making them.
  - (5) Implements used in a Jail manufactory, except such as are of petty value, should be duly included in the stock book.
- Surgical instruments, for the audit of which independent arrangement exists, need not be included in the stock book.

(6) Instruments issued by the Mathematical Instrument Department must be brought on the stock book and shown in the returns.

II. A copy of the stock book showing the stores in hand on the 31st March next should be submitted in the case of the District Officers to the Commissioner, and, in the case of the latter officer, to the Chief Commissioner, and each year a memorandum in the above form showing every increase and decrease will be sent as above noted. Every fifth year (1891—1896, etc.) a complete return signed by the Head of the office, and showing the property, as it then stands, must be submitted.

III. The copy, memorandum and return referred to in the last preceding rule shall be accompanied by a certificate from the head of the office that he has satisfied himself of the correctness thereof by personal inspection.

The annual memorandum shall be accompanied by a further certificate that the articles mentioned in the previous lists are, subject to the changes described in the memorandum, actually in the custody of the officer concerned.

IV. The Commissioner may satisfy himself, or depute any officer subordinate to him to report as to the correctness of the returns.

V. Another list in the form given under Rule I shall be kept in each office for the articles of office furniture, such as benches, tables, chairs, racks, wooden and tin boxes, almirahs, etc., but no copy of it need be sent to the controlling officer. Every addition and alteration in the list shall be attested by the signature of the Head of the office, who once in every year shall satisfy himself that the articles mentioned in the list are in his office, reporting the fact to his immediate superior officer.

VI. Heads of subordinate offices, such as Tahsils, etc., will submit the statements and returns to their immediate superior officer, who will incorporate them in the statement or return of his own office.

VII. These rules do not apply to stamps, opium, and other stores supplied for sale.

*Rules for the supply of stationery to Patwaris, sanctioned by the Chief Commissioner, 19th February, 1898.*

The following rules are issued for the supply of stationery to the Patwaris in the Ajmer-Merwara Districts.

2. The following printed forms, bound registers, and miscellaneous articles laid down against each Tahsil shall be indented for by the Revenue Assistant Commissioner annually.

## (a). Printed forms:—

	Khasra form.	Khatoonis for variable villages.	Khatoonis for variable tanks.	Khatoonis for variable beds.	Khatoonis for crop rate tank.	Application forms for water from crop rate tanks.	Parwanas conveying permission for irrigation.
Ajmer . . . . .	19,000	6,000	3,500	*500	*400	*500	*1,000
Beawar . . . . .	6,000	...	1,500	300	400	500	1,000
Todgarh . . . . .	7,000	...	1,500	300	800	500	1,000

\* Shall be printed at the expense of the Public Works Department.

## (b) Bound registers:—

	Roznam-chas (diaries).	Khata Dabls.	Registers patra Kabulliat.	Register of Shamlat Accounts.	Mutation registers.
Ajmer . . . . .	192	200	16	50	20
Beawar . . . . .	242	250	8	40	16
Todgarh . . . . .	88	90	8	30	14

## (c) Miscellaneous articles:—

	Brown paper.	INK.		Thread.	Needles.	Bastas.
		Black.	Red.			
	Reams.	Bundles.	Bundles.	Seers.		Thans.
Ajmer . . . . .	110	500	100	3	150	12
Beawar . . . . .	110	200	75	2	100	10
Todgarh . . . . .	90	150	50	1½	75	8

3. The forms shall be printed under the orders of the Collector, and shall reach the Tahsils through the Revenue Extra Assistant Commissioner by the 1st April.

4. The registers shall be bound under the orders of the Revenue Extra Assistant Commissioner with the previous sanction of the Collector, and shall be despatched to the Tahsils before 1st September.

5. The Tahsildar shall submit indent for the miscellaneous articles to the Revenue Extra Assistant Commissioner, and shall purchase the things indented for on receipt of the Collector's sanction.

6. The stationery shall be in the custody of the Tahsil Jamadar, and the Registrar Girdawar shall be responsible for its accounts. The Registrar Girdawar shall issue all articles prescribed for the Patwaris in time to their Girdawars, who shall distribute the same without delay.

7. The Registrar Girdawar shall keep a list prepared by the Tahsildar and approved of by the Collector showing all articles prescribed for the Patwaris, and shall furnish a copy thereof to each Girdawar. He shall obtain a receipt from the Girdawars for all articles issued for the Patwaris of his circle.

8. For the above purposes the Registrar Girdawar and the Girdawars shall keep a register in the following form, in which all articles received and issued by them shall be entered.

9. The cost of these articles, except that incurred in printing the forms required for variable beds and crop rate tanks, shall be debited to the Patwari Fund.

10. The Patwaris shall at transfer make over all the stationery they may have at the time to their successors and shall be liable for any deficiencies.

11. Articles specially required by the Patwaris and not provided for in these rules may be supplied on the recommendation of the Revenue Extra Assistant Commissioner.



# REGISTER FORM.

Name of Tahsil.	
Khasra forms.	
Khatoonies for variable villages.	
Khatoonies for variable tanks.	
Khatoonies for crop rate tanks.	
Application forms for water from crop rate tanks.	
Farmans conveying permission for irrigations.	
Bazanmahals (diarles).	
Khatta bahis.	
Registers patta kabullat.	
Mutation registers.	
Registers of Shamlat Accounts.	
Brown paper.	
Black ink.	
Red ink.	
Thread.	
Needles.	
Dustas.	

  

Israh.	
Name of Giridwar or Palwari.	
Khasra forms.	
Khatoonies for variable villages.	
Khatoonies for variable tanks.	
Khatoonies for variable beds.	
Khatoonies for crop rate tanks.	
Application forms.	
Parmans.	
Bazanmahals.	
Khatta bahis.	
Register patta kabullat.	
Mutation registers.	
Registers of Shamlat Accounts.	
Brown paper.	
Black ink.	
Red ink.	
Thread.	
Needles.	
Dustas.	

*Rules for the Examination of Officers (whose appointments are not made by the Government of India) exercising Revenue and Judicial powers. Sanctioned by the Chief Commissioner, 15th February 1889.*

1. From and after 1st April 1889, no salaried officer, unless appointed directly by the Government of India, or unless otherwise directed by the Chief Commissioner, Ajmer-Merwara, shall be invested with Civil, Criminal or Revenue jurisdiction, or have his power extended, until he has passed the Lower Standard of examination hereinafter prescribed. Officers' (Revenue and Judicial) Departmental Examinations.

2. There shall be two standards of examination, *viz* :—

*Lower Standard.*—For Tahsildars, Naib Tahsildars, Munsiffs, Sub-Judges, 2nd Class, and Magistrates of the 3rd and 2nd Class.

*Revenue.*—A simple examination in—

	Marks.
1. The Ajmer Land and Revenue Regulation and Rules . . . . .	200
2. The Irrigation Regulation and Rules . . . . .	120
3. The Land Acquisition Act . . . . .	120

*Judicial.*—A simple examination in—

1. The Indian Penal Code and Amending Acts with the Whipping Act . . . . .	150
2. The Code of Criminal Procedure . . . . .	150
3. The Code of Civil Procedure . . . . .	150
4. The Evidence Act . . . . .	120
5. The Ajmer Courts Regulation . . . . .	80
6. The Ajmer Laws Regulation . . . . .	80

*For Officers knowing Urdu.*

1. Transliteration and translation into Urdu or English of easy manuscript documents in (a) Kayasthi and (b) the Mahajani character . . . . .	50 each.
2. Translation of a simple piece of English into Hindi in these characters . . . . .	50 „
3. Conversation in the ordinary language of the district with an ordinary villager . . . . .	50 „

*For Officers knowing Hindi.*

Similar test in Urdu, omitting the conversational portions.

*Higher Standard.*—For Revenue Officers, Sub-Judges, 1st Class, and Magistrate, 1st Class, below the rank of Extra Assistant Commissioner, a

more difficult examination in the subjects mentioned above, adding for Judicial Officers—

	Marks.
7. The Limitation Act . . . . .	80
8. The Contract Act . . . . .	100
9. The Court fees Act . . . . .	80
10. The Stamp Act . . . . .	80
11. The Transfer of Property Act . . . . .	100
12. The Specific Relief Act . . . . .	100

*For Officers knowing Urdu.*

The same tests laid down for the Lower Standard but of a more difficult character.

*For Officers knowing Hindi.*

Similar test in Urdu, omitting the conversational portions.

Any Officer who has passed the Lower Standard may, with the permission of the Commissioner, apply to be examined under the Higher for the purpose of showing proficiency.

3. Officers exercising Revenue and Judicial powers, who have not passed the examination already, shall, if so required, pass the same within one year or such period exceeding one year as may be determined by the Commissioner with the previous sanction of the Chief Commissioner.

4. The Chief Commissioner may, in his discretion, order the removal of an officer who has failed in three successive examinations, or declare such officer unfit for further promotion, or exempt him from the prescribed examination altogether.

5. The Examination Committee shall consist of—

The Commissioner and Sessions Judge—President,  
The Assistant Commissioner, Ajmer, and,  
The Judicial Assistant Commissioner,

and shall assemble on dates to be fixed by the Commissioner.

6. The pass qualification in each standard shall be two-thirds of the total marks, subject to a minimum of 40 per cent. in each subject.

7. All Court Readers shall at first be appointed on probation only, and shall not be confirmed in their appointments till they have passed the Lower Standard in the Criminal and Civil Procedure Codes, the Limitation Act, the Court Fees Act and the Stamp Act, and in language, and their appointments shall be conditional on their passing within a year.

8. The Reader to the Assistant Commissioner of Ajmer shall also pass the Lower Standard in Revenue Law.

Statement showing the subjects, etc., of the Ajmer Departmental Examinations.  
(Sanctioned by the Chief Commissioner, 15th February 1889.)

Vol. III.

Name of Examination.	Authority under which held.	Subjects prescribed.	Full Marks.	Pass Marks.	Officers on whom examination is compulsory.	Date of Examination.	Officer under whose orders the examination is conducted.	REMARKS.
1	2	3	4	5	6	7	8	9
(1)								Aggregate pass marks 107 160.
Petition writers' examination.	Judicial Commissioner's order 3rd May 1896.	Handwriting . . . . . Spelling . . . . . Form . . . . . Composition . . . . .	40 40 40 40	16 16 16 16	All Petition Writers.		Assistant Commissioner, Ajmer.	The candidate must prove that he can draw up a clear, concise and straightforward petition, plaint or memo. of appeal.
(2)								Questions on Patwari Rules are general ones on Irrigation and other Revenue matters.
Patwaris' examination.	Chief Commissioner's order No. 7135, 16th July 1889.	Hindi, reading and writing . . . . . Arithmetic, to Rule of Three . . . . . Plane-table survey and computation of areas. . . . . Patwari Rules . . . . .	100 100 100 100	40 40 40 40	All Patwaris and Naib Patwaris.	Twice a year	1. Revenue Assistant Commissioner (President). 2. Tahsildar, Ajmer. 3. Deputy Inspector of Schools. 4. Girdawar.	
(3)								The examination in general Revenue Laws and Rules is prescribed by the Collector.
Girdawars' Examination.	Ditto.	Hindi, reading and writing . . . . . Urdu . . . . . Arithmetic . . . . .	80 80 100	32 32 40	All Girdawars.	Twice a year (1) 15th April, (2) 15th October, and following days.	1. Revenue Assistant Commissioner (President). 2. Tahsildar, Ajmer.	

Statement showing the subjects, etc., of the Aimer Departmental Examinations—contd.

Name of Examination	Authority under which held.	Subject prescribed.	Full Marks.	Pass Marks.	Officers on whom examination is compulsory.	Date of Examination.	Officer under whose orders examination is conducted.	Remarks.
1	2	3	4	5	6	7	8	9
		English figures . . . .	50	20			3. Deputy-Inspector of Schools.	
		Survey by Plane-table and computation of areas.	50	20				
		General Revenue Laws :—						
		1. Regulation II of 1887 . . . .						
		2. Regulation VIII of 1887 . . . .						
		3. Patwari Regulation, 1895 . . . .						
		4. Act I of 1894 . . . .						
		5. Act XII of 1884 . . . .						
		6. Act XIX of 1884 . . . .						
		General Revenue Rules :—						
		1. Revenue Rules.						
		2. Irrigation Rules.						
		3. Patwari Rules with Hidayat-nama patwarian.						

Girdawars' Examination—contd.

(4)

Court Readers' Examination.

Chief Commissioner's No. 151  
—734, 15th February 1889.

4. Rules for the maintenance of traverse survey and boundary marks.  
5. Tacavi Rules.

Civil Procedure Code . . .	150	60
Criminal Procedure Code . . .	150	60
Limitation Act . . .	80	32
Court Fees Act . . .	80	32
Stamp Act . . .	80	32
Translation and transliteration into Hindi and English.	50	20
Conversation . . .	50	20
Urdu translation . . .	50	20
Revenue—		
1. Ajmer Land Revenue Regulation and Rules.	200	80
2. Ajmer Irrigation Regulation and Rules.	120	48
3. Act I of 1894 . . .	120	48
Judicial—		
1. Penal Code and Whipping Act.	150	60
2. Civil Procedure Code . . .	150	60

(5)

Lower Standard Examination.

Ditto.

All Tabasildars, Naib Tabasildars, Munsifs, Sub-Judges 2nd class, and 2nd and 3rd class Magistrates.

Annually in January.

Ditto.

Ditto.

The reader to the Assistant Commissioner, Ajmer, is required also to pass the Lower Standard Examination in Land Revenue Regulation and Rules.  
Aggregate pass marks  $\frac{460}{690}$ .

Aggregate pass marks  $\frac{880}{1826}$ .

Statement showing the subjects, etc., of the Ajmer Departmental Examination—concl'd.

Name of Examination.	Authority under which held.	Subject prescribed.	Full marks.	Pass marks.	Officers on whom examination is compulsory.	Date of examination.	Officer under whose orders examination is conducted.	Remarks.
1	2	3.	4	5	6	7	8	9
<i>Judicial—cont'd.</i>								
		3. Criminal Procedure Code	150	60				
		4. Evidence Act	120	48				
		5. Ajmer Courts Regulation	80	32				
		6. Ajmer Laws Regulation	50	32				
For Officers knowing Urdu :—								
		1. Transliteration and translation into Urdu and English of easy manuscripts in (a) Kayasthi, (b) Mahajani characters.	50	20				
		2. Translation of easy English into Hindi in these characters.	50	20				
		3. Conversation in the ordinary language of the District with a villager.	50	20				

Lower Standard Examination—cont'd.





*Form showing the mode of address to be adopted in addressing Istimrardars, Jagirdars and other Native Gentlemen in the Ajmer-Merwara District.*

(Sanctioned by the Chief Commissioner, 15th July 1890).

Serial No.	Name of Estate.	Address.	REMARKS.
	ISTIMRARDARS.		
	1. Bhinai . . .	Siddhi Sri (name of estate) Shubhasthane sarvopaman (Rajaji or Thakuran) Raj Sri (name of addressee) ji jog (Ajmer or other place) se Raj Sri (name of writer) Bahadur likhawatun johar banchawasi.	*The title "Raja" here applied is purely one of courtesy confined to the Ajmer District, and only sanctioned on account of previous usage.
	2. Sawar . . .		
	3. Masuda . . .		
	4. *Pisangan . . .		
	5. Junian . . .		
	6. Dewaliya . . .		
	7. Kharwa . . .		
	8. Bandanwara . . .		
	9. Bagsuri . . .		
II.	10. Mehrun . . .	Siddhi Sri (name of estate) Shubhasthane sarvopaman Thakuran Raj Sri (name of addressee) ji jog (Ajmer or other place) se Raj Sri (name of writer) Bahadur likhawatun johar banchawasi. Apranch.	
	11. Para . . .		
	12. Deogaon Baghera . . .		
	13. Gobindgarh . . .		
	14. Tantoti . . .		
	15. Barli . . .		
III.	Kadera . . .	Siddhi Sri (name of estate) Shubhasthane Thakuran Raj Sri (name of addressee) ji jog (Ajmer or other place) se Raj Sri (name of writer) Bahadur likhawatun johar banchawa. Apranch.	
	Goela . . .		
IV.	All other Rajput Istimrardars.	Siddhi Sri (name of estate) Thakuran Sri (name of addressee) ji jog (Ajmer or other place) se Raj Sri (name of writer) Bahadur likhtun ken banchawa. Apranch.	
V.	Rajosi . . .	Hukmnama banam (name of addressee) Istimrardar (name of estate).	
	Ajaysar . . .		
	Karekri . . .		
	Nausar . . .		

Form showing the mode of address to be adopted in addressing Istimrardars, Jagirdars and other Native Gentlemen in the Ajmer-Merwara District—  
contd.

Serial No.	Name of Estate.	Address.	REMARKS.
VI.	JAGIRDARS.		
	1. * Rajgarh . . .	Siddhi Sri ( <i>name of estate</i> ) Shu-bhashthane Rajaji Raj Sri ( <i>name of addressee</i> ) ji jog ( <i>Ajmer or other place</i> ) se Raj Sri ( <i>name of writer</i> ) Bahadur likhawaton johar banchna. Apranch.	*The title "Raja" here applied is purely one of courtesy confined to the Ajmer District, and only sanctioned on account of previous usage.
	2. Diwanji of Dargarh Khwaja Sahib.	Hakaik o maarif iktisab, fazail o akhlak maab Sallamahullahu taala. Bad ishtiyak mulakat barakat ayat mashhud khatir i sami bad.	
	3. Nawab of Boraj, etc.	Nawab Sahib mehrban ( <i>name of addressee</i> ) sallamahullah taala. Bad shauk mulakatwazih bad.	
	4 †Gangwana . . .	Raja Sahib bisyar mehrban Raja ( <i>name of Jagirdar</i> ) salamat. Bad shauk mulakat wazih bad.	†Do. do.
	5. Dodiya . . .	Mushfik mehrban Mir Inayatullah Shah Jagirdar Dodiya Salamat. Bad shauk mulakat wazih bad.	
	6. Jharwasa . . .	To be addressed by Kaifiyat.	
	7. Mangalyawas . . .	Siddhi Sri Mangalyawas men Joshi ( <i>name of addressee</i> ) ji jog ( <i>Ajmer or other place</i> ) se Raj Sri ( <i>name of writer</i> ) Bahadur likhtun ken banchna. Apranch.	
	8. Nandla . . .	To be addressed by Kaifiyat.	
	9. Moraj-hari. { Muhamma d Hussan. Zah u r u l - Hussain.	Sharafat-o-najabat panah ( <i>name of addressee</i> ) ba afiyat bashand.	
	10. Dilwara . . . (Mir Iman Ali)	Mushfik mehrban Mir Imam Ali salamat.	
VII.	11. Honorary Magistrates	.....	The official communication is made by copy of rubkar or order.

*Form showing the mode of address to be adopted in addressing Istimrardars, Jagirdars and other Native Gentlemen in the Ajmer-Merwara District*  
—contd.

Serial No.	Name of Estate.	Address.	REMARKS.
VIII.	MUTAWALLIS.		
	Mutawalli Dargah Khwaja Sahib .	Mutawalli Sahib mehrban-i-dostan sallamahu. Bad shauk mulakat wazih bad.	
	Mutawalli Dargah Miran Sahib .	To be addressed by Kaifiyat.	
IX.	MUAFIDARS.		
	Abdul-wahab, son of Mir Chishti Bakhsh.	Ditto.	
	Shafi Muhammad, son of Shaikh Chisti Bakhsh.	Mashikbat maab ( <i>name of addressee</i> ) ba afiyat bashand.	
X.	SETHS.		
	Seth Radhakishan Gobinddas of Muttra.	Seth Sahib mehrban i-mukhlisan ( <i>name of addressee</i> ) Sallama-hullahu taala. Bad ishtiyak mulakat kasir-ul-musarat mash-hud khatir-i-muhabbat muassir bad.	
	Seth Nemiohand Soni .	} Seth Sahib mehrban salamati. Bad shauk mulakat anki.	
	Rai Bahadur Seth Umed Mal.		
	Rai Seth Chand Mal .		
	Rai Bahadur Seth Sobhag Mal Dhadda.		
	Those entitled to a chair not specified above.	Sharafat-o-najabat panah ba afiyat bashand.	

*Public Works (Ajmer-Merwara Provincial Division) Rules. Sanctioned by the Chief Commissioner, 11th October 1884.*

#### CHAPTER I.—PRELIMINARY DEFINITION OF TERMS.

1. A "Division" is a Revenue Division within the jurisdiction of a Commissioner.

2. The "Divisional Engineer" is an officer of the Public Works Department, Imperial Establishment, holding executive charge under Public Works Code Rules of all Public Buildings, Roads, Tanks, etc., in the several districts comprised within the division.

3. "Divisional Engineer" includes the term Executive Engineer in the following rules :—

4. "Local Administration" includes "Chief Commissioner."

5. "Administrative sanction" is the approval accorded by the Local Administration to the initiation of any project or work.

## CHAPTER II.—RELATION OF DIVISIONAL ENGINEER TO COMMISSIONER.

6. (1) The Executive Engineer, Ajmer Provincial Division, is the "Divisional Engineer" under section 2 of Chapter I for the Districts of Ajmer-Merwara.

(2) He will work in immediate subordination to the Commissioner and in effect as his Secretary in respect of the initiation of works and distribution of resources, and professionally in immediate subordination to the Superintending Engineer of the Circle in respect of the execution of works and the rendering of accounts.

(3) No correspondence involving separate Record-keeping is to be carried on between the Commissioner and the Divisional Engineer. The office of the Divisional Engineer is to be the office of record of all correspondence of the Commissioner, either with the Local Administration, with the Superintending Engineer, with the Examiner, Public Works Accounts, or with District Officers or Councils, or with other Officers and Departments in matters relating to Public Works generally.

(4) The Commissioner, however, will address the Local Administration under his own signature.

The Superintending Engineer will address the Executive Engineer direct on professional matters, but the covers will be addressed to the Commissioner as a rule or if the Commissioner so desires.

This is a matter of office detail. It is to be understood that the Divisional Engineer shows all correspondence to the Commissioner, and will dispose of all business in such manner as the Commissioner may from time to time direct.

7. All Engineering works proper in the Division will be executed through the Divisional Engineer, except the repairs of village roads or any other miscellaneous work, which the Municipal Committees or District Councils (with the approval of the Commissioner) may think will be more conveniently otherwise arranged for.

8. The Divisional Engineer will, under the orders of the Commissioner, prepare rough Estimates, etc., as may be required, and if necessary will inspect any spot, building or work.

9. Although it is the duty of the Executive Engineer to keep all buildings, roads and tanks in repair, the Assistant Commissioners and District Councils are not relieved of any responsibility in this respect. The Assistant Commissioner is held jointly responsible with the Executive Engineer for the state of all roads, buildings and tanks within his district. No Assistant Commissioner should be relieved of any responsibility until he can show that he has reported in due time any want of attention on the part of the Public Works Officers to the duties of maintaining the works in his district.

NOTE.—The Examiner will address the Executive Engineer direct in matters of account.

10. The responsibility enjoined on Assistant Commissioners and District Councils in the last paragraph, is *administrative*. Generally speaking, interference in *professional* matters would be confined to bringing to the notice of the Superintending Engineer any views they may hold in respect of the mode of carrying out the work.

11. When an Estimate is sanctioned, and with the exception contemplated in the last paragraph, the responsibility for carrying out the work will rest with the Divisional Engineer.

12. When an Estimate which the Commissioner has power to sanction should in the opinion of the Executive Engineer be referred for *professional* opinion to the Superintending Engineer, he will record his opinion to this effect in the report to the Estimate.

13. On completion of a work, a report in the usual form, called a completion report, will be submitted to the authority for whom the work has been constructed, by whom it should be countersigned, and returned to the Divisional Engineer.

14. All applications or requisitions for works required to be executed under these rules must be submitted through the Commissioner.

### CHAPTER III.—PROCEDURE IN REGARD TO WORKS.

#### Section I.—ADMINISTRATIVE SANCTION PREPARATORY TO ENTERING UPON PROJECTS.

15. Administrative sanction by the Local Administration must be obtained before any project for works, the cost of which will exceed Rs. 500, can be entered on. Without such administrative sanction no detailed Plans or Estimates need be prepared.

16. All proposals for works requiring sanction under the foregoing rules must be submitted to the Commissioner of Ajmer and Merwara.

17. To ensure regularity in the conduct of business it is considered expedient to restrict the submission of ordinary applications for administrative sanction to a certain fixed period of each year, an expediency based on both Administrative and Financial grounds, as facilitating the selection of schemes for early consideration both with regard to the relative importance of the proposed works and the limit of the available resources.

18. An annual list of schemes for administrative sanction should therefore be submitted between the 1st January and 1st of May of each year. The projects should be arranged in the list in the order of their importance, and the list should be accompanied by papers explaining the necessity for each work, and giving a rough plan and estimate of cost for each work.

19. Such proposals as are approved by the Local Administration will be duly communicated to the Commissioner through the Secretary in the Public Works Department, and at the same time the necessary instruction for the preparation of the detailed Plans and Estimates will be issued.

20. Should, however, any proposals for Administrative sanction be justified by *really urgent necessity*, the Local Administration will receive and consider them at a time other than that prescribed above.

21. Proposals for Irrigation, new projects, or extensions or alterations to existing Works requiring Administrative sanction under these rules, should in addition always be accompanied by a report by the Revenue Officer concerned of the estimated Direct and Indirect revenue to be expected.

## Section II.—PROCEDURE IN SUBMISSION OF PROJECTS.

### *Original Works.*

22. These are classed as :—

5000

(i) Major Works, or those which cost Rs. 2,500 or upwards, distinguished as—

(a) Works costing more than Rs. 5,000, which require the sanction of the Local Administration in the Public Works Department,

(b) Works costing up to Rs. 5,000, which, with the advice of the Superintending Engineer, the Commissioner may dispose of finally.

(ii) Minor Works, or those which cost Rs. 500, and not more than Rs. 2,500, which the Commissioner, advised by the Divisional Engineer, may dispose of finally.

(iii) Petty Works which cost less than Rs. 500, which the Commissioner may himself dispose of.

23. Plans and Estimates under Chapter III, Section I, paragraph 19, for works under class I (a) shall be submitted to the Local Administration in the Public Works Department for sanction, on receipt of which the project will be registered for inclusion in the next year's budget. Should, however, there be circumstances making it advisable that the work should be executed at once, these should be stated in sending up the project, and application made for the necessary appropriation of funds under a separate letter.

24. Plans and Estimates under Chapter III, Section I, paragraph 19, for Works under class I (b) will be sanctioned by the Commissioner himself and be similarly registered for inclusion in the next year's budget; unless there be any work which circumstances make it desirable to put in hand at once, when the sanctioned project should be sent to the Local Administration in the Public Works Department for the requisite appropriation of funds.

25. Plans and Estimates for Works under Class II will be sanctioned by the Commissioner, and be registered for inclusion in the ensuing year's budget; or if there are circumstances which make it desirable to carry out the work at once, he should explain them in an application to the Local Administration in the Public Works Department for an appropriation of the requisite funds.

26. The powers delegated to the Commissioner under class III do not extend to Imperial Works, such as Military, Postal and Telegraph; to these as well as to "Tools and Plant" provided for in the Imperial budget, the Public Works Code Rules will apply.

27. (1) No work shall be commenced until sanction to it has been accorded, allotment of funds made, and orders for its commencement issued by competent authority.

(2) In cases of emergency when the Divisional Engineer considers that the stability of any work will be endangered by delay, the Commissioner may, with or without the advice of the Superintending Engineer, authorize any necessary precautionary measures to be carried out, reporting his proceedings at the same time for confirmation.

#### MUNICIPALITIES.

28. Where not otherwise provided by Regulation, the Rules in regard to power of sanction of Municipal Committees are as follows:—

- (i) If the Estimates do not exceed Rs. 2,500, the Committee can sanction them on the advice of the Divisional Engineer who shall always sign the Plans and Estimates in token of approval.
- (ii) If the Estimates exceed Rs. 2,500 and do not exceed Rs. 5,000, they will be sanctioned by the Commissioner on the advice of the

Superintending Engineer, who will always sign the Plans and Estimates in token of approval.

- (iii) Estimates exceeding Rs. 5,000 will be referred to the Local Administration in the Public Works Department.

#### REPAIRS.

29. Repairs are either Ordinary or Special—

(a) Ordinary Repairs are those of a periodical or recurring nature. These do not require Administrative sanction.

(b) Special Repairs are such as involve any addition, alteration, or renewal to the original design, which is not due to ordinary wear or tear. For these Administrative sanction is required under the same rules as for Original Works.

30. The repairs for all classes of buildings and works are provided for in the General Budget of the Province, and the expenditure on them must necessarily be limited to the total sum allotted annually in the budget.

NOTE.—Projects are usually initiated in the cold weather or camping season.

31. Sanctioned estimates for periodical repairs of all kinds only hold good until the 31st March following, or in special cases until the 15th June.

32. The Divisional Engineer should see that Periodical Repair Estimates embrace as much of the repairs required in each year as is possible, so as to reduce the number of separate estimates and requisitions.

33. The Commissioner should satisfy himself that the Divisional Engineer or his subordinates inspect each building and road periodically, in view to the Budget provision being made to bear due relation to real requirements and ensure all buildings being fairly maintained.

#### ANNUAL REPAIRS TO BUILDINGS.

34. Estimates for annual repairs of all Civil buildings should be submitted on or before the 1st June. This applies to repairs to be carried out by the Divisional Engineer.

35. All repairs to buildings of a temporary character (mud-walls, tiled-roofs, native timbering, etc.) will be carried out by the District Officials under the order of the Commissioner and from the funds provided in the Civil Budget for that purpose.

36. No repairs affecting the constructive details of a building are to be executed except under the supervision of a Public Works Officer.

37. All Civil, Imperial and Provincial Buildings connected with the Departments, as per margin, will be under the general charge of the Executive Engineer, Municipal Buildings, unless specially made over to him, or, being used for Imperial purposes, will remain in charge of the Committees.

Judicial, Civil and Criminal,  
Revenue, Police, Educational,  
Ecclesiastical, Dispensaries, and  
District Funds.



38. It is the duty of the officer occupying the building to inform the Commissioner if a building in his charge is out of repair either by letter or requisition as for a new work.

39. No additions or alterations are to be made to any public building of any sort or kind without due authority. This order must be strictly attended to in each department and by the sanctioning or controlling authority, while the Public Works Department is held responsible, from a professional point of view, for the propriety of such alterations and additions as may be undertaken.

40. Outlay on repairs to unauthorized additions or alterations is prohibited.

41. The erection of private buildings within the precincts of Government lands is strictly prohibited, and all officers concerned are held responsible for reporting such irregularities. For the erection of Suitors' sheds, Vakils' rooms, or buildings likely to be useful to people or officers attending court-houses, the sanction of the Local Administration must be first sought.

42. Every new building constructed by the Executive Engineer will be provided with all necessary fixtures, including record-racks, shelves, punkhas, etc. But the repair of these fixtures and all petty repairs of doors and windows, including the replacement of broken glass, will be provided for by the officers occupying the buildings, except when required as part of a general repair.

43. The officer in charge of each building should make some person of his establishment answerable for its general condition, including the glass in each room, and fixtures; as also keeping a watch on the attacks of white ants, giving strict attention to the cleanliness of the interior, and neatness of the exterior, and surroundings, etc., charges for which may be made by the officer concerned in his contingent bill.

#### COMMUNICATIONS.

44. Roads are classed as—

- I. Imperial.
- II. Local.
- III. Municipal.

Arrangements for repairs of class I will be made by the Public Works Department, for classes II and III by the District Councils and Municipal Committees under the Rules and Regulations in force.

#### UNMETALLED ROADS.

45. When Estimates for repairs of unmetalled roads are sanctioned, the

work may be carried out through the Divisional Engineer, or by such other agency as the District Councils or Municipal Committees may resolve.

46. When the District Councils or Municipal Committees employ other Agency than the Divisional Engineer for repairs of unmetalled roads, kutcha buildings, planting trees, etc., but require the work to be checked and paid for by him, the work shall be accounted for to the Divisional Engineer by a bill which must be accepted and paid by him.

47. Any bill for such work, countersigned by a Magistrate or by a Chairman of a Municipal Committee or District Council, shall be deemed sufficient authority for its payment by the Executive Engineer on condition that there is budget provision, and that in the case of a work (other than repairs) costing over Rs. 50, there is a sanctioned estimate,

#### INFORMATION.

48. At the commencement of each official year the Commissioner will be informed of the amount allotted for ordinary repairs under this head; the procedure for sanctioning the repairs will be the same as that for repairs generally.

#### ESTIMATES.

##### *Section III.*

49. Detailed Estimates for works costing Rs. 500 and over should not be entered upon until Administrative sanction has been accorded, and the order for their preparation been issued by their Local Administration in the Public Works Department, *vide* Section I, paragraph 19.

50. In all estimates for Major and Minor Works the letter giving Administrative approval and authorizing their preparation should be distinctly quoted under 'References.'

51. The Abstracts of all estimates must be prepared in duplicate. Both abstracts should bear the countersignature of the approving officer. The duplicate abstract of estimates for (a) Major Works will be sent to the Examiner, Public Works Accounts, by the Secretary to the Local Administration in the Public Works Department; those for (b) Major or Minor Works, as well as for Repairs, will be sent by the Divisional Engineer to the Examiner.

52. The classification to be observed in the preparation of estimates is to be found in Appendix VI of Public Works Code, Vol. 2. To ensure uniformity of classification the headings of the estimates for works and repairs and their abstracts should show distinctly the division, district, fund, class, main-head and sub-head (and, where necessary, the project of which the work forms part) to which the estimate relates.

53. Estimates for repairing unmetalled roads need not be of an elaborate character ; it will suffice to state the width of each road, its general condition, whether it be a hill road, or road in the plains, or partly one and partly the other, with the proposed rate for repairs per mile, for each class of road.

### FUNDS.

#### Section IV.

54. It is a fundamental rule that no outlay is to be incurred on any work without a due allotment of funds.

55. Applications for allotments of funds should be submitted as soon as possible after the 1st April. These should be regulated not according to budget grants, but to *bona fide* requirements (provided for in the budget) for the year.

56. Anticipated lapses of funds should be reported to the Local Administration in the Public Works Department by the 1st October in each year at latest, to admit of their utilization elsewhere.

57. The Local Administration alone has power to transfer funds from Original Works.

58. The allotments entered in the budget for any year for Original Works estimated to cost more than Rs. 2,500 each, cannot be utilized until the money has been assigned in a formal manner by the Local Administration in the Public Works Department. The applications for such assignments should be submitted separately for each work.

59. Applications for allotment of funds should be kept entirely distinct from references regarding estimates. For instance, if an estimate for a work is submitted for sanction and funds are required at the same time, a separate letter regarding the funds should be written.

60. A reserve from the Minor Works grant allotted annually in the budget for any year will be placed at the disposal of the Commissioner. When an appropriation for a minor work has once been made by the Commissioner, the Divisional Engineer will be held responsible that such budget appropriation is not exceeded. Such appropriation once made, however, shall not be diverted to any other minor work, except under the authority granting the original appropriation.

61. A list of works, remaining incomplete on the 31st March of any year and which have not been entered in the budget of the succeeding year, shall be submitted early in April and allotment of funds asked for to the Local Administration in the Public Works Department.

62. The powers delegated to the Commissioner under the foregoing rules of this section do not extend to Imperial works  
 Military, Postal and Telegraph buildings.  
 (see margin).

## PETTY WORKS.

63. A sum of money as a reserve for Petty Works will be placed from time to time by the Local Administration in the Public Works Department at the disposal of the Commissioner.

64. The Commissioner will sanction and allot funds (if available) up to the limit of his reserve for the construction of all Petty Works in his division costing less than Rs. 500. If the Commissioner's reserve is exhausted, and the work is urgent, application for further funds should be made to the Local Administration in the Public Works Department. On no account must Petty Works be commenced in anticipation of allotment of the requisite funds.

65. The reserve placed at the disposal of the Commissioner is absolutely for Petty Works only, unless otherwise ordered, and must not be applied to any other purpose.

## REPAIRS.

66. The allotment provided for repairs in the General budget of the Province will be distributed at the commencement of each year according to requirements, and the Commissioner informed.

67. From the sum so placed at the Commissioner's disposal, appropriations will be made by that officer as he may deem requisite up to the limit of his allotment.

68. The Commissioner has the power to transfer funds for repairs within budget sub-heads, as for example, from one Revenue building to another or from one Police-station to another.

69. No appropriation should be made to a work or repair in excess of the sanctioned estimated amount for such work or repair.

70. The Executive Engineer will submit a monthly statement in Form No. 42, showing distinctly and separately every sanction accorded by the Commissioner or Assistant Commissioner under the preceding rules. This statement will show the condition of the reserves placed at the disposal of the Commissioner at the close of each month.

## FORM NO. 42.

*Statement showing the condition of the Reserve for petty and unforeseen works, as well as for repairs, as held by Commissioner of Ajmer at the close of the month of*

	RESERVE			Appropriated this month.	Balance available.
	Unappropriated Balance at end of last month.	Additions this month.	Total.		
Petty Works . . .					
Imperial . . .					
Civil Buildings . . .					
Communications . . .					
Irrigation . . .					
<b>TOTAL WORKS</b> . . .					
Petty repairs . . .					
Imperial . . .					
Civil Buildings . . .					
Communications . . .					
Irrigation . . .					
<b>TOTAL REPAIRS</b> . . .					

71. This statement, after countersignature by the Commissioner should be sent direct to the Examiner of Public Works Accounts, accompanied by abstract of the sanctioned requisitions or estimates on which the works are being carried out. A copy of the statements should also be sent to the Local Administration in the Public Works Department.

## BUDGETS.

## Section V.

72. The Divisional Engineer will, under the orders of the Commissioner, prepare for submission to the Local Administration in the Public Works Department the Divisional Budget programme or schedule for each year.

73. For general guidance in the preparation of the Divisional Budget, the following conditions should be observed :—

- (i) That the grant of the previous year be taken as a general guide to the totals.
- (ii) That all works likely to remain incomplete in the year, and to be on hand in the ensuing year, have first consideration and entry.
- (iii) That all works for which estimates have already been sanctioned stand second in importance.
- (iv) That works for which administrative approval of the Local Administration has been received come next.

74. No works will be admitted in the Budget for which projects have not been submitted.

75. In the Budget for each year the works to be carried out by Public Works Officers will be entered and a charge for Establishment on the lump sum will be made.

76. The contribution to be made shall be as ruled in the Local Administration No. 1791-S., dated 6th July 1877, at 10 per cent. on the amount entered in the Budget.

#### CHAPTER IV.—METHOD OF ACCOUNTING FOR EXPENDITURE.

77. The procedure and forms prescribed by the Public Works Codes in the matter of accounting for expenditure are to be strictly adhered to.

78. The Divisional Engineer will be placed in funds by means of monthly letters of credits obtained through the Examiner of Public Works Accounts. From this source only can expenditure be incurred by him.

79. The subordinates under the Divisional Engineer shall be imprest-holders with imprest fixed with reference to the wants of each, subject to the limit in amount prescribed in Public Works Code Rules.

80. In dealing with Tahsildars, etc., as contemplated in Chapter III, section ii, paragraphs 46-47 of these rules, it will be proper to constitute them temporary imprest-holders, with this difference that they shall not be called on to furnish more than the bill prescribed.

SANADS GRANTED FOR LAND TENURES AND REVENUE OFFICES, SANCTIONED BY  
THE GOVERNMENT OF INDIA, 2ND APRIL, 1874.

Granted to \_\_\_\_\_ Istimrardar of \_\_\_\_\_  
in the Pargana of \_\_\_\_\_

Whereas the Governor-General of India in Council has been pleased to Revenue -  
waive the right of the British Government to enhance the assessment of your Sanads to  
Istimrardar.

estates, and to declare the existing assessment of those estates to be fixed in perpetuity. Therefore this Sanad is granted to you, to set forth the conditions in consideration of the true and faithful observance and fulfilment of which by yourself, your heirs, representatives and assigns, the aforesaid concession is made.

#### CONDITION I.

The Istimrardar of \_\_\_\_\_ for the time being, holding the estates specified in Schedule A, hereto annexed, shall at all times remain faithful in all allegiance to His Majesty King Edward, his heirs and successors, and perform all the duties which, in virtue of such allegiance, may be demanded from him. If any question arises as to whether this condition has been faithfully observed, the decision thereon of the Governor-General in Council shall be final.

#### CONDITION II.

He shall pay annually to the British Government the sum of Rs. \_\_\_\_\_ at present assessed on the villages of his estates enumerated in the said Schedule A. Such sum shall be payable by such instalments, and on such days, as are set forth in Schedule B.

#### CONDITION III.

If, at any time, water be taken for the irrigation of any portion of his estates from any canal or irrigation work, constructed or maintained at the expense of Government, he shall, in addition to the aforesaid assessment, pay such water-rate as Government may, from time to time, determine.

#### CONDITION IV.

On the discovery of any mines on his estates, he shall forthwith make the fact known to Government, and shall in addition to the assessment aforesaid, pay to the Government, such royalty, not exceeding one-half of the net profits, as Government may be pleased to demand.

#### CONDITION V.

In addition to the annual amount assessed on his estates, he shall pay all legal cesses for local works, improvements, schools, police or other purposes, at such rates, and in such manner, as the Government may, from time to time, determine.

#### CONDITION VI.

He shall, in accordance with custom, make reasonable provision for the support of such surviving relatives of his immediate predecessor as are

hereinafter mentioned, and, in the event of any dispute arising as to such provision, shall conform without objection to the orders he may receive from the Chief Commissioner, or other Principal Officer charged with the administration of Ajmer. The relatives above referred to are the following :—Grand-parents parents, widows, brothers, sisters, sons whether natural born or adopted, daughters, nephews, nieces, and grand-children.

#### CONDITION VII.

Nazarana on succession shall be paid by the Istimrardar succeeding, in accordance with the following rules :—

- (a) Nazarana shall not be taken on successions in the direct line, as for example when a natural born son succeeds his father or a grandson his grand-father ; nor on collateral successions, when the person succeeding is a brother, or descended in the direct line from a brother.
- (b) Where a paternal uncle succeeds, Nazarana of half a year's revenue shall be taken.
- (c) In all other cases, except that of an adopted son being the nephew of his adoptive father, a Nazarana of a year's revenue shall be taken.
- (d) The Nazarana may be paid in such instalments within such period, not exceeding four years, as the Chief Commissioner or other principal officer charged with the administration of Ajmer may direct.
- (e) Notwithstanding anything hereinbefore contained, Nazarana shall not be taken in any case in which the succession shall have occurred within one year next after a succession on which Nazarana shall have been taken.
- (f) If the succession shall have occurred within four years after a succession on which Nazarana shall have been taken, the Nazarana shall be remitted to such amount, not exceeding three-fourths, as may be directed by the Chief Commissioner or other principal officer charged with the administration of Ajmer.

#### CONDITION VIII.

The Istimrardar for the time being shall not, except under the law for the time being in force relative to the acquisition of land for public purposes, alienate his estates or any portions thereof by sale, gift or otherwise, and he shall not, except by way of giving security for an advance under the Land Improvement Act, 1871, or other law for the time being in force relative



the advances of money by Government for Agricultural improvement, alienate or charge his estates or any portion thereof by lease, mortgage, or otherwise for any term extending beyond his own life.

#### CONDITION IX.

He shall respect and protect the rights of his tenants and cultivators, and shall exert himself to the utmost to improve and extend the cultivation of his estates.

#### CONDITION X.

He shall furnish to the Commissioner all statistics and information for which he, under the orders of Government, may call, and shall keep up such establishments as may be declared necessary for the preparation of such statistics, or for the supply of such information.

#### CONDITION XI.

He shall report all crime occurring on his estates, and assist in its detection, or repression, in such way as he may be directed; he shall not harbour offenders within his estates, and he shall use his best endeavours to preserve order and prevent crime, and whenever called on by the officers of Government for assistance, he shall render every aid and assistance in his power.

Dated this \_\_\_\_\_ in the year of our Lord \_\_\_\_\_

Given under my hand and seal, and under the sanction and authority of the Viceroy and Governor-General in Council.

*Chief Commissioner of  
Ajmer-Merwara.*

#### SCHEDULE A.

*Name of Villages, according to the Revenue Survey book, referred to in Condition.*

#### SCHEDULE B.

*Instalments and dates on which they fall due, referred to in Condition II.*

Kharif, 1st January      Rs.

Rabi, 1st July      „

NOTE.—The Government of India have ruled that the term "revenue," as used in Condition VII of the Istimrari Sanad means the net income of the estate, that is, the gross receipts less the tribute (*Mamla Sarkari*) payable to Government,—*vide* letter No. 29 I., dated the 4th January 1895, of the Government of India in the Foreign Department, to the address of the Chief Commissioner, Ajmer-Merwara in connection with the Piplaj success on es-

*Form of Sanad given to Bhumias.*

Whereas the Governor-General of India in Council has been pleased to declare the lands specified in the Schedule hereto annexed to be Bhum, and to recognize you \_\_\_\_\_ as Bhumias of the village of \_\_\_\_\_ in the district of Ajmer, within which the aforesaid lands are situated, therefore this Sanad is granted to set forth the conditions, in consideration of the true and faithful observance and fulfilment of which the estate and possession which you have in the said Bhum is confirmed to you and your respective heirs and representatives, hereinafter described, as "the Bhumias of \_\_\_\_\_ for the time being."

## CONDITION I.

The Bhumias of \_\_\_\_\_ for the time being shall at all time remain faithful in their allegiance to His Majesty King Edward, His heirs and successors, and obedient to the laws for the time being in force.

## CONDITION II.

Whenever the District Officer of Ajmer or any officer duly authorized by him shall summon the Bhumias of \_\_\_\_\_ for the time being to suppress riots, or to pursue dacoits and rebels, or for any other purpose connected with the maintenance of the public peace, \_\_\_\_\_ of the said Bhumias shall attend at the time and place mentioned in the summons, each duly armed with a sword and serviceable gun, and mounted on a serviceable horse.

## CONDITION III.

One of the Bhumias of \_\_\_\_\_ for the time being, equipped in the manner described in the preceding condition, shall present himself to the District Officer of Ajmer at noon on the King's Birthday, in each year, and shall then present to the District Officer a single Nazarana of rupees \_\_\_\_\_ on account of the whole of the lands specified in the Schedule hereto annexed.

## CONDITION IV.

The Bhumias of \_\_\_\_\_ for the time being shall not, except under the law for the time being in force relative to the acquisition of land for public purposes, conjointly or severally alienate or charge their lands or any portion thereof by sale, gift, lease, mortgage or otherwise, except to or in favour of one or more of the said Bhumias.

## CONDITION V.

If any of the Bhumias \_\_\_\_\_ for the time being fail truly and faithfully to observe and fulfil any of the preceding conditions, the District Officer of Ajmer may—

- (a) enter upon the land and either rescind the grant, or by remaining in possession, suspend the enjoyment thereof for such time as he may deem fit, or
- (b) assess the land to land revenue.

Provided that the District Officer may in any case in which he deems fit offer to the Bhumias the option of paying a pecuniary penalty of such amount as he may determine, and in the event of such penalty being paid within such time as he may allow, he shall not proceed against the land under clause (a) or clause (b) of this condition.

## CONDITION VI.

If the land is assessed to Revenue or temporarily taken possession of by the District Officer under Condition V, the Bhumias of \_\_\_\_\_ for the time being shall, during the time it is under assessment, or in the possession of the District Officer, be relieved from Conditions II and III preceding.

## CONDITION VII.

If any question arises as to whether any of the preceding conditions has been truly and faithfully observed and fulfilled, the decision thereon of the Chief Commissioner or other principal officer charged with the administration of Ajmer shall be final.

Dated \_\_\_\_\_ in the year of our Lord \_\_\_\_\_

Given under my hand and seal and under the sanction and authority of the Governor-General of India in Council.

*Commissioner of Ajmer.*

## SCHEDULE.

We the undersigned for ourselves and our heirs and representatives accept the above Sanad, and agree to hold the Bhum therein mentioned on the terms therein stated.

*Form of Sanad given to Zaildars.*

Granted to \_\_\_\_\_ son of \_\_\_\_\_ Caste \_\_\_\_\_

Since with the sanction of Government you have been appointed a Zaildar for the term of the present Settlement, this Sanad is granted to you.

1st.—Your circle shall consist of the villages mentioned in the Schedule.

2nd.—You will receive yearly from Government Rs. \_\_\_\_\_, being one per cent. on the Revenue of the villages in your circle.

3rd.—It shall be your duty to keep yourself thoroughly informed of the state of villages in your circle, to communicate information on all matters of interest connected with these villages to the Assistant Commissioner, to inform him of the resort of bad characters in your circle, and to attend on him during his annual tour. You will admonish the *Patels* and *Lambardars* to collect the Revenue, and will see that the *Patwaris* prepare the necessary papers for collection.

4th.—You shall not interfere directly with collections, but shall work through the *Patels* and *Lambardars*.

5th.—You shall endeavour to adjust differences, you shall take nothing without payment from any of the villages in your circle, and you shall uprightly and without partiality exert yourself for the good of the villages, and so far as in you lies for the due administration of the District.

#### *Form of Sanad given to Patels.*

Since you have with the sanction of Government been appointed a *Patel* in *Mouza* \_\_\_\_\_ *Tahsil* \_\_\_\_\_ *Zilla* Ajmer, for the term of the present Settlement, this Sanad is granted to you.

1st.—You will pay Revenue on your individual holding or share of a holding at a privileged rate.

2nd.—It shall be your duty to collect from your constituents the Revenue due on their holdings, and pay the sum into the Treasury on or before the date fixed. You shall wrong no man nor unduly favour any, but shall collect from each that which is due. If at any time negligence in collection is proved, you shall be liable to a fine of the whole or a portion of the amount now remitted to you on your holding.

3rd.—You shall keep an honest and true account of any common receipts and expenditure over which you have charge, and shall cause the *Patwari* to transcribe it.

## Jagir Proposition Statements, sanctioned by the Government of India, 1875.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- sessment on Khalsa.	Cesses at 3-2-0 per cent.	Tenure and conditions of the grant.
	Chabee.	Talabee.	Abee.	Baranee.	Uncultivated.	Total.	Excluding cesses.	Including cesses.			
1. Dargah of Khwaja Muin- ud-din Chisti, commonly called Khwaja Sahib.	Khalsa.									Rs.	
	2,345	220	121	7,343	24,789	34,821	21,116	25,252	16,924	530	
	Milik.										
	1,129	33	35	535	1,065	2,797					
	Bham.										
	377	23	6	902	463	1,771					
TOTAL	3,851	276	165	8,780	26,317	39,359					

The Estate contains the following 14 villages exclusive of Dantia, Hokra and Kishanpura:—

1. Amba Masseena,
2. Badhwara,
3. Parbutputa,
4. Pecholeau,
5. Tilorra,
6. Chandeain,
7. Khwajputa,
8. Khwajputa Bhirwao,
9. Kadampura,
10. Kasea,
11. Khyria (Khwaja Sahib),
12. Kayur,
13. Kotari,
14. Nabab.

The Estate contains the following 14 villages exclusive of Dandra, Hokran and Kishanpura:—

1. Amba Masseena,
2. Badhvara.
3. Farbulpura.
4. Pocholean.
5. Tillora.
6. Chandsein.
7. Khwajpura.
8. Khwajpura Bhirwao.
9. Kadampura.
10. Kanea.
11. Khyran (Khawja Sahib).
12. Kayur.
13. Korri.
14. Nabab.

Revenue—Jagir Estates

2.										Hokran-Kishenpura										3. DANTRA.										TOTAL																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
Dewan for the time being, of Dargah Khwaja Muin-ud-din Chisti.																				Mutwalli, for the time being, of Dargah Khwaja Muin-ud-din Chisti.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
Khalasa.		6		291		531		5,013		6,119		2,908		3,634		2,191		69																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							

## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- sessment as on Khalsa.	Rs.	Cesses at 3-2-0 per cent.	Tenure and conditions of the grant.
	Chabee.	Talabee.	Abee.	Baranee.	Uncultivated.	Total.	Excluding cesses.	Including cesses.				
4. Dargah of Sayed Meeran Husein, commonly called Meeran Sahib,	Khalisa.	66	72	1,218	3,123	5,016	3,862	4,367	3,049	96		The grant of this estate lasts as long as the Dargah exists and the objects of the endowment are fulfilled. No part of the estate is transferable by sale or mortgage. It is the duty of the Manager to provide that the assets are expended for the purposes of the Institution. The Manager has no power to alienate the revenue-paying land of the estate on revenue-free tenure. The grant is made to the Institution itself, and the Manager is a trustee for carrying out the purposes of the Institution.
	538											
	Millik.											
	536	9	4	432	126	1,207						
	Bhum.											
	117	9	6	181	76	389						
TOTAL	1,241	84	82	1,881	3,324	6,612						

The Estate contains three villages: Dorai, Sonulpur and Khyria (Meeran Sahib).

The Estate contains three villages: Dorai, Somulpur and Khyria (Meeran Sahib).

	Kha Isa.	400	1,820	2,417	1,908	1,553	1,110	35	
Dargah of Pir Dasgiz, commonly called Chilla- Bara Fir.	197 ...	...	...	30	...	...	...	...	The grant of this estate lasts as long as the shrine exists, and the objects of the endowment are fulfilled. No part of the estate is transferable by sale or mortgage. It is the duty of the Manager to provide that the assets are expended for the purposes of the Institution. The Manager has no power to alienate the revenue-paying land of the estate on revenue-free tenure. The grant is made to the shrine itself, and the Manager is trustee for carrying out the purposes of the Institution.
	8 ...	22	"	...	...	...	...	...	
Bham.	16 ...	1	2	19	...	...	...	...	
TOTAL	221 ...	423	1,822	2,466	...	...	...	...	
	Kha Isa.	609	778	1,706	1,972	1,426	2,695	64	
Temple of Nathdwara in Meywar.	325 ...	84	...	...	...	...	...	...	The grant of this estate lasts as long as the temple of Nathdwara exists, and the objects of the endowment are fulfilled. No part of the estate is transferable by sale or mortgage. It is the duty of the Manager to provide that the assets are expended for the purposes of the Institution. The Manager has no power to alienate the revenue-paying land of the estate on revenue-free tenure. The grant is made to the temple itself, and the Manager is a trustee for carrying out the purposes of the Institution.
	Milk,	17	1	37	...	...	...	...	
	19 ...	...	...	...	...	...	...	...	
Bham Nil.	...	...	...	...	...	...	...	...	
TOTAL	344 ...	84	779	1,833	...	...	...	...	



## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- sessment as on Khalsa.	Cesses at 3-2-0 per cent.	Tenure and conditions of the grant.
	Chabee.	Talabee.	Abee.	Baranee.	Uncultivated.	Total.	Excluding cesses	Including cesses			
							Rs.	Rs.			
7. BHAGWANTPURA LALIKHERA.	Khalisa.	..	93	767	2,573	3,703	2,742	2,864	Rs. 1,811	Rs. 57	The grant of this estate lasts as long as the tomb exists, and the objects of the endowment are fulfilled. No part of the estate is transferable by sale or mortgage. It is the duty of the Manager to provide that the assets are expended on the necessary expenses of the tomb, and in alms-giving. The Manager has no power to alienate the revenue-paying land of the estate on revenue-free tenure. The grant is made to the tomb itself, and the Manager is a trustee for carrying out the purposes of the Institution.
	269	..	..	..	..	..	..	..	..	..	
Chatrri Surji Rao	Milik.	..	9	62	76	203	..	..	..	..	
	56	..	..	..	..	..	..	..	..	..	
	Dhum.	..	..	..	..	..	..	..	..	..	
TOTAL	116	..	6	139	298	539	..	..	..	..	
	441	..	108	968	2,917	4,464	..	..	..	..	

S. NILA SONI.	Charitable trust of Dhand- badhari.		10	...	...	3	821	834	Not procurable	150	5	
	Bham and M. Huk Nil.											
	Khalan.		451	30	414	899	6,912	8,766	...	3,673	3,940	92
	Mullik.											
	Bham Nil.		58	...	37	136	30	261	...	...	...	...
			509	90	451	1,035	6,942	9,027	...	...	...	...
	TOTAL											

The grant is to the Dhandbadhari for the time being. No part of the estate is transferable by sale or mortgage. The condition of the grant is, that the Dhandbadhari protect so much of the road through the Peshkar Pass as is adjacent to his Jagir; and that he pay compensation for any losses which may occur in that portion of the road from the bottom of the Pass to the open country beyond.

The estate is not transferable by sale, and shall not be sub-divided by any law of inheritance, but shall descend in block, according to the customary law of succession applicable, to the nearest male heir by blood or adoption. In the event of dispute or of the extinction of all title to succeed, Government shall determine the succession by executive order. The Jagirdar shall have power only to mortgage for his own lifetime, except by consent of Government. The younger sons of the Jagirdar are entitled to receive maintenance under the same rules as the younger sons of an Ishnurdar.

## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- sessment as on Khalsa.	Rs.	Cesses at 3-2-0 per cent.	Tenure and conditions of the grant.
	Chabee.	Talabee.	Abee.	Baranee.	Uncultivated.	Total.	Excluding cesses.	Including cesses.				
							Rs.	Rs.				
10. KOTHAY.	Khalsa.	5	..	8	355	544	912	6'1	614	149	5	The share now held by Raja Devi Singh herein termed "the Jagirdar" is not trans- ferable by sale, and shall not be sub- divided by any law of inheritance, but shall descend in block, to the nearest male heir by blood or adoption. In the event of disputes, or of the extinction of all title to succeed, Government shall determine the succession by executive order. The Jagirdar shall have power to mortgage for his own life-time only, except by consent of Government. The younger lineal descend- ants of the Jagirdar are entitled to receive maintenance under the same rules as the younger sons of an Istimrardar.
	Milik.	..	..	..	36	2	38	..	..	..	..	
	Bham.	6	..	..	46	5	57	..	..	..	..	
Raja Devi Singh, Gor of Rajgarh, Jagirdar, and Bheem Singh, Mohan Singh.	..	..	..	..	..	..	..	..	..	..	..	The share of Bheem Singh and Mohan Singh are not transferable by sale. In case of failure of heirs their shares shall lapse to the Jagirdar or his successors. They and their successors may mortgage to a stran- ger, but only for the term of the mortga- gor's life: to each other or to the Jagirdar, mortgages are allowed without limit.

TOTAL

11. DILWARA.

Ghiyas-ud-din Ali Khan,  
Dewan of Dargah, and  
Imratunnisa, Riza  
Hussain, Mardan Ali,  
Inayat Ali, Kudrat-  
Ali, Shams-ud-din, Inam  
Ali, Khurshed Bibi,  
Rustam Ali, Najim-ud-  
din, Ghulam Ali.

11	...	8	437	551	1,007	...	2,047	1,322	41	..
Khalasa.										
276	8	78	208	436	1,006	1,559	2,047	1,322	41	..
Milik.										
7	...	...	3	1	11	...	...	...	..	..
Bhum Nil.										
283	8	78	211	437	1,017	...	...	...	..	..

TOTAL

11

The share now held by Ghiyas-ud-din Ali Khan, herein termed the Jagirdar, is not transferable by sale, and shall not be subdivided by any law of inheritance, but shall descend in block, according to the customary law of succession applicable, to the nearest male heir by blood or adoption. In the event of disputes or of the extinction of all title to succeed, Government shall determine the succession by executive order. The Jagirdar shall have power to mortgage for his own lifetime only, except by consent of Government. The younger lineal descendants of the Jagirdar are entitled to receive maintenance under the same rules as the younger sons of an Istimardar.

The shares now held by the subordinate shareholders are not transferable by sale. In case of failure of heirs, their shares shall lapse to the Jagirdar or his successors. They and their successors may mortgage to a stranger, but only for the term of the mortgagor's life; among themselves and to the Jagirdar, mortgages are allowed without limit.

## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- sessment as on Khulfa.	Rs.	Covers at 3.20 per cent.	Tenure and conditions of the grant.
	Chuhco.	Talabco.	Abco.	Baranco.	Uncultivated.	Total.	Including cesses.					
							Rs.	Rs.				
12.—  Nawab Abdul Karim Khan	Khulfa.											The estate is not transferable by sale, and shall not be sub-divided by any law of inheritance, but shall descend in blocks, according to the customary law of succession applicable, to the nearest male heir by blood or adoption. In the event of dispute, or of the extinction of all title to succeed, Government shall determine the succession by executive order. The Jagirdar shall have power to mortgage only for his own lifetime, except by consent of Government. The younger sons of the Jagirdar are entitled to receive maintenance under the same rules as the younger sons of an Istiwaridar.
	795	500	324	2,532	8,451	12,902	8,384	9,218	6,986	106		
	Mulla.											
	10	16	6	50	1	83	..	..	..	..	..	
	Bhum.											
	78	3	5	241	625	952	..	..	..	..	..	
TOTAL	883	519	335	3,123	9,077	13,937	..	..	..	..	..	

The estate consists of the following villages :—(1) Borai Kazipura, (2) Sitawaran, (3) Sidaria, (4) Kesar-pura. In the area above given are included half the areas of the six hamlets into which the old village of Duratha has been now divided, and from each of which the Jagirdar receives half the net Government revenue, viz. :—Durathu, Motipura, Jagpura, Ratakhera, Dhola Danta, Chat.

The estate consists of the following villages:—(1) Boraj Kazipura, (2) Sitavaran, (3) Sidaria, (4) Kesarpura. In the area above given are included half the areas of the six hamlets into which the old village of Duratha has been now divided, and from each of which the Jagirdar receives half the net Government revenue, viz.:—Duratha, Motipura, Jagpura, Ratakbern, Dhola Danta, Chant.

И 2

## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- essment as on Khalsa.	Cosses at 3-20 per cent.	Tenure and conditions of the grant.
	Chabee.	Talabee.	Abee.	Barabee.	Uncultivated.	Total.	Excluding cosses.	Including cosses.			
	Ra.	Ra.	Ra.	Ra.	Ra.	Ra.	Ra.	Ra.	Ra.	Ra.	
14.—DUDIANA.  Meor Inayat-Ullah Shah	Khalisa.	..	..	533	1,131	2,256	1,995	2,256	2,100	65	The estate is not transferable by sale, and shall not be sub-divided by any law of inheritance; but shall descend in block, according to the customary law of succession applicable, to the nearest male heir by blood or adoption. In the event of dispute, or of the extinction of all title to succession, Government shall determine the succession by executive order. The Jagirdar shall have power to mortgage only for his own lifetime, except by consent of Government. The younger sons of the Jagirdar are entitled to receive maintenance under the same rules as the younger sons of an Istimardar.
	533	..	..	..	..	25	..	..	..	..	
	Milik.	7	..	3	10	..	..	..	..	..	
	Bham.	41	..	..	1	45	..	..	..	..	
TOTAL	631	..	..	532	1,151	2,327	..	..	..	..	









## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- sessment as on Khalsa.	Cesses at 3.20 per cent.	Tenure and conditions of the grant.
	Chahoo.	Talaboo.	Aboo.	Baranoo.	Uncultivated.	Total.	Excluding cesses.	Including cesses.			
							Rs.	Rs.			
18.—MANGLIAWAS.									Rs.	Rs.	
	Kha'sa.										
	301	8	8	648	1,467	2,492	2,024	2,209	1,736	54	The estate is not transferable by sale, and shall not be sub-divided by any law of inheritance, but shall descend in blood, according to the customary law of succession applicable, to the nearest male heir by blood or adoption. In the event of dispute, or of the extinction of all title to succeed, Government shall determine the succession by executive order. The Jagirdar shall have power to mortgage only for his own lifetime, except by consent of Government. The younger sons of the Jagirdar are entitled to receive maintenance under the same rules as the younger sons of an Istimrardar.
	Milk.										
Saligram Jotshi	13	...	...	...	...	12	...	...	...	...	
	Bhum.										
	17	...	...	15	21	53	...	...	...	...	
TOTAL	330	8	8	663	1,483	2,497	...	...	...	...	

19.—CHAWANDIA.

Gokulpuri Gosain's . . .

	Kha/laa.	186	36	123	275	708	1,328	1,336	1,555	1,310	41	
	Milik.	...	...	4	...	9	13	...	...	...	...	
	Dhnm.	42	2	...	5	3	52	...	...	...	...	
<b>TOTAL</b>		228	38	127	280	720	1,393	...	...	...	...	

The estate is not transferable by sale, and shall not be sub-divided by any law of inheritance, but shall descend in block, according to the customary law of succession applicable to this Gosain. In the event of dispute Government shall determine the succession by executive order. The Jagirdar shall have power to mortgage only for his own life-time, except by consent of Government.

20.

Sharf-ud-din, Amrao Bibi,  
Sarfraz Ali, Asad Ali,  
Nurul Haqin, Alam Ali,  
Ashraf Ali, Nizam Ali,  
Vakil, Karim Alta, Sad-  
ud-din, Wazeer Ali,  
Ihsan Ali, Kasim Ali,  
Kadhim Hussain, Imam  
Ali, Haider Ali, Meer  
Imay-ud-din Shah.

	Kha/laa.	50	30	64	235	171	550	765	765	429	...	
	Muaf Nil.	...	...	...	...	...	...	...	...	...	...	
	Dhnm.	5	...	...	25	...	30	...	...	...	...	
<b>TOTAL</b>		55	30	64	260	171	580	...	...	...	...	

The grant consists of half the net revenue of Akhri. None of the sharers are entitled to the designation of Jagirdar. Each shall enjoy the share of the revenue of which he is or may become lawfully possessed. Succession shall be regulated by the rules customary in the family of each sharer.

Any sharer may mortgage his share for the term of his own life to a stranger, but may not sell or make gifts to a stranger. Among the sharers themselves, sales, mortgages, and gifts are unrestricted.

The area shown in this statement is half the area of the village, but there is no land which is really Jagir. The Jagirdari receive from the Treasury half the net Government revenue, a sum equivalent according to the present assessment to Rs. 429, and they have no concern with the management of the village.

## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT ROLL FOR 10 YEARS.		Settlement Officer's as- essment as on Khalsa.	Cesses at 3.20 per cent.	Tenure and conditions of the grant.
	Chaboo.	Talaboo.	Aboo.	Bararoo.	Uncultivated.	Total.	Excluding cesses.	Including cesses.			
							Rs.	Rs.			
21.—BANEORI.											
Ameer Ali, son of Khownaj											None of the sharers are entitled to the designation of Jagirdar. Each shall hold the share of which he is or may become lawfully possessed. Succession shall be regulated by the rules customary in the family of each sharer.
Bukhs, Ameer Ali,	79	52	10	577	2,202	2,930	927	1,120	704	22	
Sharf-ud-din, son of											
Meer Hafiz Ali, Rahim-											
unnisa, Irtahad Ali,	...	...	...	17	14	31	...	...	...	...	
Ghulam Ahmed, Abu											
Bakr, Zainat Bibi, Mow											Any shareholder may mortgage his share for the term of his life to a stranger, but may not sell or make gifts to a stranger. Among the sharers themselves, sales, mortgages, and gifts are unrestricted.
Bibi, Hussein Buksh.	15	6	13	79	32	145	...	...	...	...	
—											
Six Mahojans.											
TOTAL	94	58	23	673	2,248	3,096	...	...	...	...	

The share held by the six Mahojans who had no right to purchase should be assessed, and the revenue credited to the Government.

## 22.—CANAHRA.

Munir Beg, Saadat Bibi,  
Kazi Munif-ud-din,  
Ghiyas-ud-din, Shadi  
Hussain, Asgar Ali,

Khalsa.

Ghaffar Ali, Khidmat Ali, Abdul Halim, Munawar Bibi, Hussein Ali, Najaf Hussein, Wazeer Begum, Miraj Ali, Asad Ali, Sultaraz Ali, Ali-munisa, Jafar Ali, Chummi Begum, Ashraf Ali, Ramzanusa, Alam Ali, Nur-ul Hasan, Shurfunisa, Mohammad Hussein, Ahmed Hussein, Najeedunisa, Sadr-ud-din, Ghulam Hussein.	132	55	220	172	1,620	2,199	Not procurable.	1,544	48	None of the sharers are entitled to the designation of Jagirdar. Each shall hold the share of which he is or may become lawfully possessed. Succession shall be regulated by the rules customary in the family of each sharer.
	Milik.	19	3	3	...	25	...	...	...	
	Bhum.					71	...	...	...	Any shareholder may mortgage his share for the term of his own life to a stranger, but may not sell or make gifts to a stranger. Among the sharers themselves, sales, mortgages and gifts are unrestricted.
	2	8	13	23	25			...	...	
TOTAL	153	63	236	198	1,645	2,295	...	...	...	
23.—MORAJHARI.										
Meer Hafiz Ali, Wazeer Ali, Ihsan Ali, Musharif Bibi, Mahomed Hussein, Ameer Ali, Faiz Mahomed.	283	42	17	667	1,972	2,351	2,188	1,534	48	None of the sharers are entitled to the designation of Jagirdar. Each shall hold the share of which he is or may become lawfully possessed. Succession shall be regulated by the rules customary in the family of each sharer.
	Khalasa.									
	Milik.	13	2	74	2	91	...	...	...	
	Bhum.						...	...	...	
	54	2	...	38	61	155	...	...	...	Any shareholder may mortgage his share for the term of his own life to a stranger, but may not sell or make gifts to a stranger. Among the sharers themselves, sales, mortgages and gifts are unrestricted.
TOTAL	350	46	17	779	1,435	2,627	...	...	...	

## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Jagir Proposition Statements, submitted.										Tenure and conditions of the grant.
Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.					ADVANCE RENT-HOLD FOR 10 YEARS.		Settlement Officer's assessment as on Khalsa.	Cushts at 3.20 per cent.	
	Chaboo.	Talaboo.	Aboo.	Baraboo.	Uncultivated.	Total.	Excluding cushts.			
24.—HALF OF NANDLA. Yousuff Ali, Hafiz Ali, Mar- dan Ali, and 63 Khadims of Dargah of Khwaja Muin-ud-din Chisti.	Khalsa. 239 Milk and Bhumi	55	478	540	1,362	1,638	1,341	1,317	Rs. 42	None of the sharers are entitled to the designation of Jagirdar. Each shall hold the share of which he is or may become lawfully possessed. Succession shall be regulated by the rules customary in the family of each sharer. Any shareholder may mortgage his share for the term of his own life to a stranger, but may not sell or make gifts to a stranger. Among the sharers themselves, sales, mortgages, and gifts are unrestricted. The grant holds good so long as there is no necessity to interfere in consequence of the misappropriation of the income.
25.—HATHIKHERA. Nizam Ali Vakil, Karim Aza, Ihsan Ali, Sadr-ud-	Khalsa. 99 Milk.	3	305	2,921	2,423	719	952	554	Rs. 17	None of the sharers are entitled to the designation of Jagirdar. Each shall hold the share of which he is or may become lawfully possessed. Succession shall be regulated





## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- sessment on Khudmas.	Rs.	Cesses at 3-2-0 per cent.	Tenure and conditions of the grant.
	Chaboo.	Talaboo.	Aboo.	Baranoo.	Uncultivated.	Total.	Excluding cesses.	Including cesses.				
							Rs.	Rs.				
27. GHEOAL. Khudmas of the Dargah of Khwaja Main-ud-din Chisti.	Khalisa.			937	837	1,071	1,786	2,056	1,412	44	The grant of this estate lasts as long as there are Khudmas of the Dargah to enjoy it, and so long as there is no necessity to interfere in consequence of the misappropriation of the income. Each Khudma shall retain the rights of which he is or may become lawfully possessed. None are entitled to the designation of Jagirdar. Succession shall be regulated by the rules customary in the family of each sharer.  Any sharer may mortgage his share for the term of his natural life to a stranger, but may not sell or make gifts to a stranger. Among the Khudmas themselves, sales, mortgages, and gifts are unrestricted.  Land which has already been alienated by sale or by a mortgage extending beyond the lifetime of the mortgagor, shall be assessed, and the revenue made over to some responsible representative of the Khudmas for application for the general benefit of the Khudmas.	
	180	"	"	"	"	"	"	"	"	"		
	Milki.	56	"	"	80	231	"	"	"	"		"
	Bhum.	8	"	"	51	73	"	"	"	"		"
TOTAL	241	"	"	1,071	968	2,531	"	"	"	"		

## 28.—BAJINA.

Khadims of the Durgah  
of Khwaja Muin-ud-din  
Chisti.

	Khalsa	47	152	1,037	1,980	3,289	420	605	1,000	31	
	73										
	Milik	Nil.									
	Bhum										
	43	1	39	50	7	140	"	"	"	"	
	116	43	191	1,037	1,987	3,429	"	"	"	"	
TOTAL											

The grant of this estate lasts as long as there are Khadims of the Durgah to enjoy it, and so long as there is no necessity to interfere in consequence of the misappropriation of the income. Each Khadim shall retain the rights of which he is or may become lawfully possessed. None are entitled to the designation of Jagirdar. Succession shall be regulated by the rules customary in the family of each sharer. Any sharer may mortgage his share for the term of his natural life to a stranger, but may not sell or make gifts to a stranger. Among the Khadims themselves, sales, mortgages, and gifts are unrestricted. Land which has already been alienated by sale or by a mortgage, extending beyond the lifetime of the mortgagor, shall be assessed, and the revenue made over to some responsible representative of the Khadims for application for the general benefit of the Khadims.

## 29.—PUSHKAR.

Brahmins of Bari Basti  
in Pushkar.

	Khalsa	1	327	476	4,490	5,322	Not procurable.	973	31	
	28									
	Milik.									
	"	2	4	"	"	6	"	"	"	
	Bhum									
	28	3	331	476	4,490	5,328	"	"	"	
TOTAL										

The grant of this estate lasts as long as there are Brahmins to enjoy it, and as long as the services for which it was granted are performed. Each Brahmin shall retain the rights of which he is or may become lawfully possessed. None are entitled to the designation of Jagirdar. Succession shall be regulated by the rules customary in the family of each sharer. Any sharer may mortgage his share for the term of his natural life to a stranger, but may not sell or make gifts to a stranger. Among the Brahmins themselves, sales, mortgages, and gifts are unrestricted. Land which has already been alienated by sale or by a mortgage, extending beyond the lifetime of the mortgagor, shall be assessed, and the revenue made over to some responsible representative of the Brahmins for application for the general benefit of the Brahmins.

## Jagir Proposition Statements, sanctioned by the Government of India, 1875—contd.

Name of Jagirdars or institution, endowed.	AREA AND NATURE OF LAND.						AVERAGE RENT- ROLL FOR 10 YEARS.		Settlement Officer's as- sessment as on Khasa.	Cesses at 3-2-0 per cent.	Tenure and conditions of the grant.
	Chabee.	Talabee.	Abee.	Baranee.	Uncultivated.	Total.	Excluding cesses.	Including cesses.			
							Rs.	Rs.			
30.—NAIDLA.  Brahmans of Chotti Basti in Pashkur.	Khalisa	8	129	124	816	1,077	587	591	Rs. 497	Rs. 16	The grant of this estate lasts as long as there are Brahmans to enjoy it, and so long as there is no necessity to interfere in consequence of the misappropriation of the income. Each Brahman shall retain the rights of which he is or may become lawfully possessed. None are entitled to the designation of Jagirdar. Succession shall be regulated by the rules customary in the family of each sharer.  Any sharer may mortgage his share for the term of his natural life to a stranger, but may not sell or make gifts to a stranger. Among the Brahmans themselves, sales, mortgages, and gifts are unrestricted.  Land which has already been alienated by sale or by a mortgage, extending beyond the life time of the mortgagor shall be assessed, and the revenue made over to some responsible representative of the Brahmans for application for the general benefit of the Brahmans.
	"	"	6	7	"	13	"	"	"	"	
	Milik	"	"	"	"	"	"	"	"	"	
	Bhum.	"	4	1	"	5	"	"	"	"	
	"	"	"	"	"	"	"	"	"	"	
TOTAL	"	8	139	132	816	1,095	"	"	"	"	

*Rules for the conduct of crop cutting experiments, sanctioned by the Chief Commissioner, 23rd September 1893.*

Assistant Commissioners are expected to arrange for the making, each year, of from 10 to 15 crop experiments, by themselves or the Revenue Extra Assistant Commissioner, in respect of the following four crops. After crops shall be experimented with as well as sole crops.

Kharif.	Rabi.
Cotton . . . . .	Barley.
Jowar . . . . .	
Maize . . . . .	

2. By far the most important part of the experiment is the selection of the field to be cut, which should be representative of as large an area as possible, and should not be in appearance either above or below the average for the season on its class of land. The value of each experiment depends on the extent to which its results are typical, and care should be taken to ensure that each crop cut is of about the average for its class. If, for instance, a barley field of *chahi* land is selected, its crop should be fairly representative of the season's barley crop on *chahi* land. In cases where a whole field conveniently situated cannot be found bearing a representative crop, it will generally be possible to select a portion of a field as typical of the season.

3. Experiments are not ordinarily to be made by officers of a lower rank than the Revenue Extra Assistant Commissioner. When it is proposed to employ an officer of lower rank, the previous sanction of the Commissioner must be obtained. The Patwari and Girdawar of the circle must invariably be present during the conduct of a crop experiment, to supply all necessary information regarding land classification, rent, etc., and furnish any survey appliances which may be required.

4. Except in the case of cotton, the area cut should be invariably one-tenth of an acre, that is to say, a square chain which can be easily laid out on the ground with a chain and cross-staff. In the case of a cotton crop the area selected for the first picking must be such as can be easily identified at the time of the subsequent pickings, and should be carefully marked on the ground when the area experimented with is not marked off as one-tenth of an acre. It should, of course, be measured at the time of experiment and its area (in acres) be calculated.

5. It is essential that the whole of the harvesting operations be conducted in the presence of the officer experimenting, and the crop must not, therefore,

be cut till completely ripe, when it can be threshed out by manual labour without much difficulty.

6. In the case of cotton, the instruction of the preceding paragraph may be relaxed, and if the first picking has been conducted in the presence of the officer initiating the experiment, subsequent pickings may be carried out in the presence of another officer, whose grade should, however, not be below that of Girdawar.

7. The outturn or yield given should be in all cases that of the main product of the crop (*e.g.*, grain, whether husked or unhusked, as distinct from straw, and cleaned cotton as distinct from cotton seeds). If any estimate can be made of the outturn of bye-products (*e.g.*, straw and fodder) their weight should be entered in the return below the estimate of the main product, but if the weighing of the bye-products occasions much trouble they can be disregarded.

8. The outturn must invariably be returned by weight as calculated by the use of steel-yards supplied by the Commissioner.

9. The outturn must be reduced to its ordinary marketable form before weighing. An accurate description of the actual product which was weighed should be given in every instance.

10. The cultivator whose crop is cut should not be allowed to suffer any loss by the experiment, and the whole of the produce should be made over to him. It may on occasion be well to make him a small present by way of compensation for any trouble which the cutting may have occasioned him, or by way of acknowledgment of any assistance he may have rendered.

11. The results of the experiment should be reported to the Commissioner by the 1st of June of each year in the form appended.

12. The cost of conducting these experiments should be trifling. Funds to meet it can, if necessary, be allotted by the Commissioner.

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Annual return of the results of experimental harvestings made on fields specially selected in the District of Ajmer during the year ending 189.

NAME OF CROPS.	WEIGHT OF OUTTURN.										Note of any special advantages or disadvantages of field.								
	Particulars of cropping in each of the three preceding years.	Year.	Crop.	Particulars of irrigation if any.		Particulars of manuring in current and two preceding years.		Rent paid per acre.		Name of (officer experimenting.									
				Name of village.	Name of Tehsil.	Date of experiment.	Name of village.	Name of Tehsil.	Date of experiment.			Name of (officer experimenting.							
													Name of village.	Name of Tehsil.	Date of experiment.	Name of village.	Name of Tehsil.	Date of experiment.	Name of (officer experimenting.
1																			

*Rules for the Remission and Suspension of Revenue on the occurrence of physical calamities. Sanctioned by the Government of India, 4th September 1895.*

Remissions  
and Suspend-  
ion of Land  
Revenue.

1. Physical calamities are, for the purposes of these rules, divided into two classes:—

A.—Calamities, such as failure of rain, or general floods, which injure or destroy the crops, or prevent their being sown over the whole of a considerable tract.

B.—Calamities occasioned by hail-storms, locusts, local inundations, etc., which are confined to definite local limits, the adjoining crops being uninjured.

*I.—Calamities of the A Class.*

2. When it is anticipated that the crops will, in any season, be much below the normal in area or outturn, the Assistant Commissioner will depute the Revenue Extra Assistant Commissioner to the tract believed to be affected, and that officer, if he thinks that revenue should be suspended or remitted in any village, will submit his proposals in Form A, after visiting each village, for which suspensions or remissions are proposed. These proposals should be made immediately after the completion of the girdawari.

3. The proposals made should be for the suspension, not for the immediate remission, of the demand and (except where it may be desired to exclude any holdings or groups of holdings or villages within the affected tract, which, owing to any peculiar advantages, such as irrigation, natural or artificial, or of any other kind, have been saved from the general calamity under consideration), should in no case deal with areas smaller than whole villages or large parts of villages, the relief afforded being distributed rateably over all the holdings to which it extends.

4. The proposals will be forwarded at once by the Assistant Commissioner with such modifications as he thinks fit, to the Commissioner, and the Assistant Commissioner will at the same time pass orders temporarily, suspending collection till the receipt of orders from the Commissioner. The Commissioner may pass orders suspending the collection of the whole or any portion of the revenue, and should send a copy of his orders to the Chief Commissioner.

5. At the time when revenue is suspended, no date will be fixed for the recovery of the suspended demand: but the Assistant Commissioner will report (in Form C appended) immediately after the girdawari of each succeeding harvest, stating what portion of any suspended revenue should be collected at the ensuing kist, and the Commissioner will, on this report, pass such orders as he thinks fit, sending a copy of his orders to the Chief Commissioner.

Revenue that has been suspended should ordinarily be collected within two years; and three years should be the maximum term of suspension, unless for special reasons, which should be explained.

6. When further suspension of the revenue is considered undesirable, the Chief Commissioner may remit a whole or a part of the revenue still uncollected.

## *II.—Calamities of the B Class.*

7. On the occurrence of damage, the Girdawar will at once prepare a return in Form B. This return will be personally checked on the spot by the Tahsildar or Naib Tahsildar in immediate charge of the locality or the Deputy Magistrate of Kekri, and will be forwarded by the officer in question, with his recommendations, through the Revenue Extra Assistant Commissioner to the Assistant Commissioner.

8. Proposals should not, as a rule, be made where the area damaged is less than 10 per cent. of the malgozar's holding. They should ordinarily be for the immediate remission of the whole or part of the demand, and these proposals will relate not to the total village demand, but to the demand upon individual fields. The proportion of the demand to be remitted on each field affected will depend upon the estimated culturn according to the following scale:—

- (a) if the yield of the cultivated area of the field is estimated at 6 annas\* or less, the whole demand;
- (b) if the yield is estimated at more than 6, and not more than 12 annas,\* half the demand;
- (c) if the yield is estimated at more than 12 annas,\* nothing.

The above scale is only given as a rough maximum guide and may be departed from for special reasons given.



*III.—In regard to both classes of Calamities.*

11. In tracts under variable assessment the revenue demand already takes into account (a) any decrease of cultivated area, and (b) any *general* failure of yield in barani areas that may be known at the time when the harvest measurements are completed and the assessments announced. Ordinarily therefore—

- (i) suspensions and remissions on account of calamities under Class A, will not be given in such areas, and
- (ii) remissions on account of calamities under Class B will only be given so far as yield, as distinct from area under cultivation, is affected; that is to say, when the crops in which revenue has been assessed are injured; but
- (iii) the general rules for suspensions and remissions will apply in respect of calamities of either class which had not been taken into consideration when the assessments for the harvest were announced.

12. In tracts under fixed assessment where water revenue is levied in addition to land revenue proper, the two items should be counted as one for the purposes of suspensions and remissions.

13. Cesses should be suspended and remitted along with the land revenue, unless for any special reason this is considered inadvisable.

14. When a malguzar ordinarily receives a fixed cash or kind rent from a tenant in respect of land for which suspension or remission of revenue is proposed, the revenue should not be suspended or remitted unless the malguzar agrees in writing to suspend or remit a proportional amount of the rent due for the same harvest; and if it should at any time be found that he has realised any point of the rent so suspended, or remitted, the whole of the revenue suspended or remitted in his favour may immediately be realised by the Commissioner's orders.

15. When suspensions or remissions have been granted, the Lambardar of the villages concerned should be furnished with a detailed list of such suspensions and remissions, unless they take the form of a rateable suspension or remission of the whole demand on the village, in which case the rate of suspension or remission should be communicated to them; and each malguzar and each tenant should receive a written notice from the Patwari of the extent to which the revenue or rent due from him is suspended or remitted.

16. If in any harvest the Chief Commissioner proposes to remit more than 10 per cent. of the total land revenue of the Province for that harvest, the sanction of the Government of India must first be obtained, the revenue meanwhile remaining suspended.

FORM A.

Proposals for suspension of land revenue proposed on account of calamities of the A class for the

harvest of the year

Serial No.	Name of Village.	Total sanctioned demand for the harvest.	Cultivated area on which last assessment was based.	Area by Khassra Girdawari non present harvest.				Estimate in annas of outturn per acre in area harvested.	Amount of the demand entered in column 3 which it is proposed to		Remarks.
				Soon.	Failed or destroyed.	Matured.	Collect.	Suspend.			
1				9	0	4	6	10			e. g., nature of chief crop ; character of preceding harvests ; solvency of the malguzars, etc.

## FORM B.

Proposals for remission of land revenue proposed on account of the B class for the \_\_\_\_\_ harvest of the  
 year \_\_\_\_\_ in the village of \_\_\_\_\_

Katauni No. with Name of Malguzar.	Name of tenant (if any).	Khasra No. of each field damaged.	Cultivated area of each field in column 3.	Estimated out- turn in six- teenths of a rupee of the cul- tivated area of each field.	Proportion of revenue to be remit- ted.	DEMAND ON EACH FIELD.			REMARKS.
						Total.	To be remitted.	To be recovered.	
1	2	3	4	5	6	7	8	9	10

## FORM C.

Proposals for the recovery or remission at the list of 1st January 190 of revenue previously suspended on account of physical calamity, under authority of letter No. \_\_\_\_\_, dated \_\_\_\_\_, from \_\_\_\_\_.

VOL. III.

Serial Number.	Name of village.	Demand for harvest.	Revenue under suspension.	Cultivated area on which last assessment was based.	DETAIL OF AREA IN CURRENT HARVEST.			AMOUNT OF REVENUE SHOWN IN COLUMN 4 PROPOSED BY ASSISTANT COMMISSIONER FOR				Remarks of Assistant Commissioner on character of previous and current harvests, etc.	ORDERS OF HIGHER AUTHORITY.
					Sown.	Failed or destroyed.	Matured.	Recovery.	Remission.	Continued suspension.	Total.		
1	2	3	4	4a	5	6	7	8	9	10	11	12	13

Notes.—If suspensions have been given for class B calamities, these should be dealt with on a separate statement, but in a similar form, details being given for holdings instead of village.

Rewards for  
the destruc-  
tion of wild  
beasts.

*Scale of rewards for the destruction of wild animals and snakes. Published  
by the Commissioner, 3rd July 1891.*

										Per head.
										Rs. A.
1. Tigers	.	.	.	.	.	.	.	.	.	7 0
2. Leopards	.	.	.	.	.	.	.	.	.	5 0
3. Bears	.	.	.	.	.	.	.	.	.	3 0
4. Hyænas	.	.	.	.	.	.	.	.	.	3 0
5. Wolves	.	.	.	.	.	.	.	.	.	3 0
6. Wolves supposed to be mad	.	.	.	.	.	.	.	.	.	6 0
7. Rabid jackals <sup>1</sup>	.	.	.	.	.	.	.	.	.	5 0
8. Rabid dogs <sup>1</sup>	.	.	.	.	.	.	.	.	.	5 0
9. Snakes <sup>2</sup>	.	.	.	.	.	.	.	.	.	0 2

For a cub of any of the first five animals one-half of the above rewards will be paid.

<sup>1</sup> The reward will be paid on satisfactory proof being given that the behaviour of the animal was such as to justify belief that it was mad.

<sup>2</sup> A reward of six instead of two annas per head will be paid for each snake killed during the two months immediately preceding the breeding season, i.e., May and June of every year.

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## SUPPLEMENT.

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*The 16th July 1895.*

(b) No. 801-562-III.—The Chief Commissioner of Ajmer and Merwara is pleased, with the previous sanction of the Governor-General in Council, to extend to the Chief Commissionership of Ajmer and Merwara, under sections 5 and 5A of the Scheduled Districts Act, 1874, the provisions of sections 33 to 40 (both inclusive), sections 44 to 46 (both inclusive), and section 98 of the Punjab Land-revenue Act, XVII of 1887, subject to the modifications appearing in, and in relation to, those sections, as set forth in the schedule to this notification.

### SCHEDULE.

A. (S. 33) (1). When the settlement record has been made over to the Collector under section 69 of the Ajmer Land and Revenue Regulation, 1877, he shall cause to be prepared by the patwari of each estate yearly, or at such other intervals as the Chief Commissioner may prescribe, an edition of the settlement-record amended in accordance with the provisions of this schedule. Annual record

(2) This edition of the settlement-record shall be called the annual record for the estate, and shall comprise the third, fourth, fifth, and sixth documents mentioned in section 65 of the Ajmer Land and Revenue Regulation, 1877, and such other documents, if any, as the Chief Commissioner may, with the previous sanction of the Governor-General in Council, prescribe.

(3) For the purposes of the preparation of the annual record, the Collector shall cause to be kept up by the patwari of each estate a register of mutations and such other registers as the Chief Commissioner may prescribe.

B. (S. 34) (1). Any person acquiring by inheritance, purchase, mortgage, gift, or otherwise, any right in an estate as an owner, assignee of land-revenue or tenant with a right of occupancy, shall report his acquisition of the right to the patwari of the estate.

Making of that part of the annual record which relates to owners, assignees of revenue and occupancy tenants.

(2) If the person acquiring the right is a minor or otherwise disqualified, his guardian or other person having charge of his property shall make report to the patwari.

(3) The patwari shall enter in his register of mutations every report made to him under sub-section (1) or sub-section (2), and shall also make an entry therein respecting the acquisition of any such right as aforesaid which he has reason to believe to have taken place, and of which a report should have been made to him under one or other of those sub-sections, and has not been so made.

(4) A Revenue-officer shall from time to time inquire into the correctness of all entries in the register of mutations, and into all such acquisitions

as aforesaid coming to his knowledge, of which, under the foregoing sub-section, report should have been made to the patwari and entry made in that register, and shall in each case make such order as he thinks fit with respect to the entry in the annual record of the right acquired.

(5) Such an entry shall be made by the insertion in that record of a description of the right acquired, and by the omission from that record of any entry in any record previously prepared, which by reason of the acquisition has ceased to be correct.

Making of that part of the annual record which relates to other persons.

C. (S. 35). The acquisition of any interest in land other than a right referred to in sub-section (1) of section B of this schedule shall, (1) if undisputed, be recorded by the patwari in such manner as the Chief Commissioner may by rules in this behalf prescribe; and, (2) if disputed, be entered by the patwari in the register of mutations, and dealt with in the manner prescribed in sub-sections (4) and (5) of section B of this schedule.

Determination of disputes as to entries in settlement records, annual records and registers of mutations.

D. (S. 36). (1) If during the preparation of a settlement-record or an annual record, or in the course of any inquiry under Part III (B) of the Ajmer Land and Revenue Regulation, 1877, or under section B or C of this schedule a dispute arises as to any matter of which any entry is to be made in such record, or in a register of mutations, a Revenue-officer may of his own motion or on the application of any party interested, but subject to the provisions of section F of this schedule, and after such inquiry as he may think fit, determine the entry to be made as to that matter.

(2) If in any such dispute the Revenue-officer is unable to satisfy himself as to which of the parties thereto is in possession of any property to which the dispute relates, he shall ascertain by summary inquiry who is the person best entitled to the property, and shall by order direct that that person be put in possession thereof, and that an entry in accordance with that order be made in the record or register.

Mode of contesting orders as to entries other than entries referred to in regulation 1877, s. 67.

E. Any person who considers himself aggrieved by any entry in an annual record or register of mutations, or by any direction as to possession made under sub-section (2) of section D of this schedule, may appeal to the authorities to whom an appeal lies under the Ajmer Land and Revenue Regulation, 1877, or when the entry is one in the third or fourth document mentioned in section 65 of that Regulation, or in the case of such a direction as aforesaid may, either instead of so appealing or if dissatisfied with the order passed on his appeal by any such authority, bring a suit in the Civil Court against any other persons interested in such entry, or direction to have such entry amended or such direction reversed or varied.

Restrictions on variation of entries in records.

F. (S. 37). Entries in settlement-records or in annual records, except entries made in annual records by patwaris under clause (1) of section C of

this schedule with respect to undisputed acquisitions of interests referred to in that section, shall not be varied in subsequent records otherwise than by—

- (a) making entries in accordance with facts proved or admitted to have occurred;
- (b) making such entries as are agreed to by all the parties interested therein, or are supported by a decree or order binding on those parties;
- (c) making new maps where it is necessary to make them.

G. (S. 38.) (1) The Chief Commissioner may fix a scale of fees for all or any classes of entries in a settlement-record, annual record or register of mutations, and for copies of any such entries.

Mutation fees.

(2) A fee in respect of an entry shall be payable by the person in whose favour the entry is made.

H. (S. 39). Any person neglecting to make the report required by section B of this schedule within three months from the date of his acquisition of a right referred to in that section shall be liable, at the discretion of the Collector, to a fine not exceeding five times the amount of the fee which would have been payable according to the scale fixed under section G of this schedule if the acquisition of the right had been reported immediately after its accrual.

Fine for neglect to report acquisition of any right referred to in section B.

I. (S. 38). Any fee payable under section G, or fine imposed under section H of this schedule shall be recoverable as if it were an arrear of land revenue, and as if the person from whom it is due were a defaulter in respect of such an arrear.

Recovery of fees and fines.

J. (S. 40). Any person whose rights, interests or liabilities are required to be entered in a settlement record or annual record shall be bound to furnish on the requisition of any Revenue-officer, Supervisor, Kanungo or Patwari engaged in compiling the record, all information necessary for the correct compilation thereof.

Obligation to furnish information necessary for the preparation of records.

K. (S. 44). An entry made in a settlement-record or in an annual record in accordance with the law for the time being in force and the rules thereunder, shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted therefor.

Presumption in favour of entries in settlement-records and annual records.

L. (S. 45). Any person who considers himself aggrieved as to any right of which he is in possession, by an entry in a settlement-record or in an annual record, may institute a suit for a declaration of his right.

Suit for declaratory decree by person aggrieved by an entry in a record. Power to make rules respecting records and other matters connected therewith.

M. (S. 46). The Chief Commissioner may, subject to the control of the Governor-General in Council, make rules—

- (a) prescribing the language in which settlement-records, annual records, and registers of mutations and other prescribed registers are to be made;

- (b) prescribing the form of those records and registers and the manner in which they are to be prepared, signed and attested ;
- (c) for the survey of land so far as may be necessary for the preparation and correction of those records and registers ;
- (d) for the conduct of inquiries by Revenue-officers under Part III (B) of the Ajmer Land and Revenue Regulation 1877, or, under section B or C of this schedule ; and,
- (e) generally, for the guidance of Revenue-officers, Supervisors, Kanungos and Patwaris in matters pertaining to records and registers mentioned or referred to in this schedule.

Schedule to  
be read with  
Regulation II  
of 1877.

N. This schedule shall be read as part of the Ajmer Land and Revenue Regulation, 1877, and expressions used therein shall have the same meaning as they respectively have in that Regulation.

[a] No. 802-562 III.—Under the authority vested in him by sections G and M of the schedule attached to this office Notification [No. 801-562 III, dated 16th July 1895,] the Chief Commissioner of Ajmer-Merwara is pleased, with the previous sanction of the Governor-General in Council, to issue the following rules for the maintenance of the settlement-record in Ajmer-Merwara :—

- (1) All cases in which mutation of names is necessitated, either by the death of the recorded proprietor or muafidar or otherwise, and which have been reported through the Patwari under sub-sections 1 and 2 of section B of the schedule above referred to, or which have been brought to notice directly, shall be disposed of by the Revenue-officer concerned, that is, by the Deputy Magistrate of Kekri or the Tehsildar or the Naib-Tehsildar in whose revenue circle the village in which the case occurs, is situated.
- (2) A register of mutation of names shall be maintained at each Tehsil in the following form (No. 1), in which all such cases shall be entered, provided that, in cases which have not been reported to the Revenue-officer by the Patwari or Girdawar, no mutation shall be made until the Patwari or Girdawar has had an opportunity of reporting thereon.

*(Tenure of houses and buildings in Istimrari Estate.)*

Letter No. 3577, dated the 31st August 1852, from the Assistant Secretary to the Government for the North-Western Provinces to the Superintendent of Ajmer.

With reference to Officiating Secretary Mr. Allen's letter No. 1461 to the address of your predecessor, dated the 26th April 1849, on the subject of

complaints made by the British subjects residing in the estates of the Istimrardar, that they did not allow them to mortgage or sell their own houses, I am desired by the Honourable the Lieutenant-Governor to transmit for your information the accompanying extract (paragraph 80) of a letter from the Honourable the Court of Directors, dated 2nd June last, No. 7 on the subject.

Extract Paragraph 80 from a despatch from the Honourable the Court of Directors No. 7, dated the 2nd of June 1852.

Paragraph 80th. The decision passed by the Lieutenant-Governor is evidently a just one. It would be a great hardship and contrary to all rules of justice and equity to confer independent rights on the owners or builders of houses on their (the Istimrardar's) estates.

162. Complaints being preferred from British subjects that Istimrardars did not permit them to sell their own houses. The Lieutenant-Governor decline to interfere.

## MISCELLANEOUS CATTLE POUNDS.

*No. 175.—Dated Camp Ajmer, 1st April 1876.*

FROM THE OFFICIATING CHIEF COMMISSIONER, AJMER-MERWARA.

TO THE COMMISSIONER, AJMER-MERWARA.

With reference to your letter No. 4004 of 22nd December 1875, on the subject of the establishment of Pounds in the Cantonment of Local Corps, I have the honour to sanction the introduction in the Ajmer District of the procedure prevailing in the Punjab, under Home Department Notification No. 3734 of 12th October 1875.

## HOME DEPARTMENT NOTIFICATION.

*No. 3734.—The 12th October 1875.*

With reference to the order of the Government of India, Home Department, No. 55-3443, dated 21st August 1868, published in the Punjab Gazette of the 3rd September 1868, it is hereby notified that the Income from Cattle Pounds, established by lawful authority in Military Cantonments in the Punjab, shall be an asset of the Cantonment Fund, and that all expenditure on them shall be charged to that Fund, the Pounds being kept under the management of the Cantonment Magistrate, subject to the control of the Magistrate of the district, as required in Act I of 1871.

2. This arrangement will have effect from the beginning of 1866-67 except in cases where it is already in force.



# CONSTITUTION OF DURGAH KHWAJA SAHIB.

ORDER BY HIS HONOUR THE LIEUT-GOVERNOR, NORTH-WESTERN PROVINCES.

## NOTIFICATION.

*No. 602 A.—Dated the 22nd February 1865.*

Under Section 10, Act XX of 1863, the Hon'ble the Lieutenant-Governor is pleased to prescribe the following rules for filling any vacancy which may hereafter occur among the Members of a Committee appointed under the Act abovenamed to superintend the maintenance of any mosque, temple or other religious establishment.

All persons who may be hereafter appointed to such Committee shall be elected by the male residents of the vicinity, such electors being not less than 18 years of age and professing the religion in the interest of which the endowment was founded, and having their permanent residence at a distance of not more than five miles from the institution.

Whenever any vacancy shall occur among the members of a Committee appointed as above, the remaining members of the Committee shall, as soon as possible, affix a notice, of the establishment be Mahomedan, in Persian and Urdu, or if it be Hindu, in the Hindi language and character, conspicuously and in front of the main entrance to such mosque, temple or other religious establishment, declaring the occurrence of the vacancy, and calling on all qualified electors to assemble at noon on a day which shall be specified in the notice, and which shall not be later than three months from the date of the vacancy, at some convenient place which shall also be specified, for the purpose of electing a new member.

The remaining members of the Committee, or one or more of them, shall attend, at the specified time and place, for the purpose of conducting the election, which shall be made as follows:—Every voter shall be questioned separately. A separate paper shall be provided for each proposed member, whose name shall be written at the head of the paper. Every voter shall sign his name, or cause his name to be signed for him on the paper provided for the member for whom he votes.

The signatures shall be numbered consecutively as they are made, and as each signature is affixed, the name of the person voted for, and the number of votes that have been recorded, shall be called out.

The person who may obtain the largest number of votes shall be held to have been duly elected.

# PAYMENT OF SALARY OF DECEASED OFFICER TO HIS HEIRS.

## DEPARTMENT OF FINANCE AND COMMERCE.

### NOTIFICATION.

*Dated Simla, the 16th April 1881.*

The Governor-General in Council authorises the payment to the heirs of a deceased officer of the salary due to him to the extent of Rs. 200 in each case, after such inquiry into the rights and title of the claimants as the Collector or other officer responsible for the payment may deem sufficient. Any excess over that amount should be paid only to the person duly authorised to receive assets belonging to the estate of the deceased.

*No. 815.—Dated Mount Abu, the 28th September 1883.*

The Chief Commissioner, Ajmer-Merwara, is pleased, under Section 360 of the Code of Civil Procedure, to invest the Judges of the Court of Small Causes at Ajmer and Beawar with the powers conferred on a District Court by Sections 344 to 359 (both inclusive) of the said Code.

*Pleader's Fee in uncontested Cases.*

*No. 131.—Dated the 11th January 1873.*

FROM—THE COMMISSIONER, AJMER-MERWARA,

TO—THE CHIEF COMMISSIONER, AJMER-MERWARA.

I find that the expenses of Civil suits are more than doubled by the Pleaders' fees, and this is more particularly noticeable in the larger quantity of uncontested cases disposed of in the Small Cause Courts of this District. In such cases the Pleaders have no work to do, and it seems but a reasonable concession that, when the debtor confesses his indebtedness, that he should not be saddled with the costs of the Vakeel's fees.

I understand that a circular was lately issued in the Central Provinces directing that in uncontested cases Vakeel's fees should not be decreed, and with your permission I propose to issue like orders for this District.

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*No. 61 of 28th January 1873.*

FROM—THE CHIEF COMMISSIONER, AJMERE AND MERWARA,

TO—THE COMMISSIONER OF AJMER AND MERWARA.

I have the honour to approve of the proposition made in your letter No. 131, dated 11th January 1873, which will tend to protect the people from the oppression of more money-lenders.

## CIRCULAR MEMO.

*No. 293-J of 1886.—Ajmer, 25th June 1886.*

A question having arisen as to whether the rule under which Pleader's fees are not charged in uncontested cases tried by a Small Cause Court is applicable to other Civil Courts in Ajmer-Merwara, the Chief Commissioner has decided that this rule shall be followed in all Civil Courts in that District.

*No. 2094-A.J.—Dated 7th August 1888.*

*To—ALL THE CIVIL COURTS IN AJMER-MERWARA.*

1. It has been observed that recommendations for the ejectment of exproprietary tenants under Section 52 of the Ajmer Land and Revenue Regulation are generally sent up to the Commissioner for sanction without sufficient information to enable him to deal with them. It also appears that the provisions of the law with regard to such ejectment are not well understood. The following instructions are therefore issued with the sanction of the Chief Commissioner for the guidance of Civil Courts in Ajmer and Merwara.

2. When a recommendation for ejectment is sent up to the Commissioner, the particulars required in the form of Report attached to this Circular should always be furnished.

3. The Courts should bear in mind that Section 54 of the Regulation is permissive, not mandatory, and that they are not bound to order the ejectment of every exproprietary tenant who has made a default.

Special regard should be paid to the provisions of Section 41 of the Regulation, as decrees have been given erroneously on agreements of rent (Ghugri) bearing no proportion whatever to the productive capacity of the land and the legal rate payable under this section by an exproprietary tenant.

4. In exercising the discretion allowed to them by Section 54, a Court may reasonably and should, as a rule, refuse to order ejectment if the default is proved to be due to scanty produce, sickness of the tenant, deaths of cattle or other calamity beyond his control; also if it is shown that his produce has not been seized by attachments made by other creditors without any collusion on his part.

The general condition of the agriculturists, in whose interests the Land and Revenue Regulation was framed, justifies the protection afforded by these limitations. If any other appear to be called for, the Commissioner will use the discretion accorded to him by Section 52 before sanctioning an application for ejectment.

## COMMISSIONER'S CIRCULAR.

REPORT FOR SANCTION UNDER SECTION 52 OF THE AJMER LAND AND  
REVENUE REGULATION, 1877, TO THE EJECTMENT OF AN EXPROPRIATORY  
TENANT FROM HIS LAND IN THE VILLAGE OF \_\_\_\_\_  
IN THE DISTRICT OF \_\_\_\_\_ IN EXECUTION OF A  
DECREE PASSED BY THE COURT OF \_\_\_\_\_ AT \_\_\_\_\_

1. Name, caste and residence of decree-holder . . . . .
2. Name, parentage, age and caste of expropriatory tenant for  
whose ejectment the application is made . . . . .
3. Number and date of decree under execution . . . . .
4. Amount due by the expropriatory tenant—  
(a)—Amount of decree, including costs of suit and appeal, if  
any . . . . .  
(b)—Costs of execution . . . . .  
(c)—Amount paid by, or recovered from, the expropriatory  
tenant, if any . . . . .  
(d)—Total amount due to decree-holder . . . . .
5. Date of application for execution of decree and remarks showing  
steps taken in aid of execution, and whether the tenant had  
a full month's time to pay up . . . . .
6. For what harvests or year's rent the decree was obtained? Is rent  
decreed legally claimable at the rate prescribed in Section 41  
of Regulation, or is it due under an agreement of Ghogri  
which is void under the said section? . . . . .
7. Amount so far as is known of any other unsatisfied decree  
against the same judgment-debtor . . . . .
8. Description of land—  
(a)—Chab (or Rights) . . . . .  
(b)—Taluk ( = ) . . . . .  
(c)—Bisul ( = ) . . . . .  
(d)—Wara ( = ) . . . . .  
(e)—Total area (in Bighas) . . . . .  
(f)—Trees . . . . .  
(g)—Wells, mounds or other improvements . . . . .
9. Government farms or revenue paid in Bighas or Annas, or  
as the case may be . . . . .
10. Causes of non-payment of rent . . . . .
11. Does the judgment-debtor possess any other land? If so, how  
much, and where? If so, state it . . . . .
12. Net annual income from the land and the estimated value  
there is for as there can be earned hypothecarily . . . . .
13. Executing Court . . . . .
14. Ground on which the executing Court is empowered to execute the  
decree . . . . .
15. Opinion of Assistant Commissioner . . . . .
16. Order of Commissioner . . . . .

## CIRCULAR MEMO.

No. 14-2549-G.—*Dated Lahore, the 1st June 1894.*

To—ALL SESSIONS JUDGES, DISTRICT MAGISTRATES, CANTONMENT MAGISTRATES, AND OFFICERS EXERCISING MAGISTERIAL POWERS IN MILITARY STATIONS.

Irregularities in procedure in the trial of offences by officers exercising magisterial powers in military stations.

The Judges have observed that officers exercising magisterial powers in military stations do not always follow the provisions of the Code of Criminal Procedure in dealing with cases coming before them in a judicial capacity. Even in the larger cantonments, to which a trained Cantonment Magistrate is usually attached, it has been found that breaches of cantonment rules, offences under section 34 of the Police Act, and similar cases are not always dealt with according to law, while in smaller military stations, where an untrained military officer is usually invested with the powers of a Magistrate of the third class, it frequently happens that no proper record of evidence and of the proceedings is maintained, and that, very generally, all that is done is to enter the name of the person tried, the offence committed, and the nature of the punishment awarded, in a book kept for the purpose, but not authorized by law. Several instances have come to notice in which Cantonment Magistrates exercising summary powers have failed to comply with the requirements of the Code as to the manner in which summary trials shall be conducted.

Ordinary rules of procedure must be observed. Sessions Judges and District Magistrates to afford guidance and exercise supervision.

2. In cases in which an untrained and inexperienced officer is invested with magisterial powers for the purpose of dealing with petty breaches of sanitary and other similar rules, the same knowledge of the law cannot perhaps be expected as may well be required from officers permanently holding the office of Cantonment Magistrate after undergoing the usual examinations in law and procedure; but the Judges must insist on the ordinary rules of procedure being observed by all officers exercising criminal jurisdiction under their superintendence and control, and look to Sessions Judges and District Magistrates to exercise proper supervision over the way in which such officers discharge their magisterial duties, and to afford guidance to those who need it. The general rules governing the trial of criminal cases are not difficult to master, and any officer who undertakes magisterial duties must make himself acquainted with them.

Distinction to be drawn between administrative and judicial functions.

3. A wide distinction must be made between the administrative and judicial functions of military officers invested with authority under the law applicable to military stations. Fines imposed on the members of sanitary and other establishments for neglect of duty, etc., are so imposed under administrative authority, and with such matters the Chief Court has no concern. But when any person is charged with an offence against the criminal

law (whether such offence falls under the Indian Penal Code, the Cantonments Act and Rules made thereunder, the Police Act, or any other local or special law or rule made thereunder in force in a military station), he is entitled to be tried before a competent court in accordance with the procedure prescribed for conducting criminal trials.

4. Criminal proceedings may be initiated in one of three ways, described in section 191 \* of the Code of Criminal Procedure, *viz.*, (a) on complaint, (b) on a police report, or (c) on information received from any person other than a Police Officer, or in the Magistrate's own knowledge or suspicion. By Punjab Government Notification No. 99, dated the 3rd February 1883, all Magistrates are empowered to take cognizance of offences under clause (a) or clause (b), and all Magistrates of the first or second class may take cognizance of offences under clause (c). Initiation of criminal proceedings.

5. The first step in initiating proceedings upon complaint is to examine the complaint (section 200 of the Code) on oath or affirmation, and to reduce the substance of the examination to writing. The Magistrate should consult the second schedule of the Code to satisfy himself as to his power to take cognizance of the offence. If the complaint has been made in writing, and the Magistrate is not competent to take cognizance of the case, he will proceed as directed in section 201. Examination of complaint.

6. Section 202 empowers Magistrates of the first and second class to make, or cause to be made, further inquiry before issuing process. Directions on this subject are given in Judicial Circular No. L (3rd edition of Judicial Circulars). Inquiry under section 202, Code of Criminal Procedure.

7. If the Magistrate considers that there is no sufficient ground for proceeding, he may dismiss the complaint under section 203. Dismissal of complaint under section 203.

8. If he considers that there is sufficient ground for calling upon the accused to answer the complaint, he will issue a summons or a warrant, as laid down in section 204. Issuance of summons or warrant.

9. When the accused appears or is brought before the Magistrate, the latter must first consider whether he has power to try the case himself, or whether the case is triable only by the Court of Session or High Court. In the latter event he must proceed (provided he is competent to commit for trial) in the manner described in Chapter XVIII of the Code. Power of Magistrate to try cases.

10. If the case is triable by the Magistrate himself, he must proceed in one of the following ways:—

- (a) In the manner prescribed in Chapter XX of the Code for a summons case as defined in Section 1 (d)

(b) In the manner prescribed in Chapter XXI, if the case is a warrant case.

(c) In the manner prescribed in Chapter XXII, if the case is one which may be tried summarily and the Magistrate is empowered to try offences summarily. In this connection it may be observed that under section 530 of the Code, if any Magistrate, not being empowered by law in this behalf, tries an offender summarily, his proceedings are void.

Procedure in  
summary  
trials.

11. It is important to notice that for summary trials two modes of procedure are prescribed, one to be followed in cases where there is no appeal (section 263), and the other to be followed in appealable cases (section 264). In appealable cases a formal judgment must be recorded; in non-appealable cases the particulars required by section 263 must be recorded in a special register of summary trials and even in the latter class of cases the Magistrate should record "the brief statement of the reasons" for conviction (clause 2) in such a manner that this court on revision may be able to judge whether there are sufficient materials to support the conviction. The register above-mentioned must be used only for trials conducted under Chapter XXII of the Code.

Mode of re-  
cording evi-  
dence.

12. Directions as to the mode of recording evidence are contained in Chapter XXV. In summons cases only a memorandum of the substance of the evidence has to be recorded (section 355). In other cases the whole of the evidence must be taken down by the Magistrate, or in his presence and hearing. The examination of the accused is to be recorded as directed in section 364.

Bail.  
Registers.

13. The law relating to bail is contained in Chapter XXXIX of the Code.  
14. A list of the registers to be maintained is given in Part II of Judicial Circular No. XLV. The forms of the Registers will be found at page 165, Vol. I of these Regulations.

Fines.

15. With regard to the recovery and disposal of fines imposed under magisterial authority, the provisions of Judicial Circular No. LXI must be observed. Such fines must invariably be paid into the public accounts, such portions of them as may, under the orders of Government, be payable into the Cantonment Fund, being subsequently drawn from the treasury by the Cantonment Committee in the usual manner. The Magistrate's duty ends with placing the fine in the treasury, any subsequent action being taken by the Cantonment authorities. Thus, a Cantonment Magistrate must not confuse duties as a Magistrate with functions which he may exercise in connection with the Cantonment Committee or Cantonment authority under the Cantonments Acts.

16. As regards establishments, it is in the power of the District Magistrate to apply in the usual manner for such establishment as may be necessary for every officer who exercises magisterial powers in his district. If the Cantonment Committee or Cantonment authority do not provide a proper establishment, the matter should be referred for the orders of Government.

Establishments.

*Record of papers in Misd.*

*No. 2—Dated 23rd May 1876.*

From—The Commissioner, Ajmer-Merwara,

To—All Judicial Officers in the Ajmer-Merwara District.

*Approved by the Judicial Commissioner, Ajmer, in his letter No. 259, dated 29th May 1876.*

It having been found necessary to provide Rules for ensuring the safety of the different papers in a Misd., and for the appropriation and security English portion of the record, the Commissioner (with the assent of the of the Judicial Commissioner of Ajmer) directs as follows:—

1. The English abstract of all cases—Criminal, Civil, or Revenue. Depositions of witnesses, and Judgment, must in every instance be written on English paper of uniform size, and in all important cases Foolscap paper should be used, as Setaupore paper is soon torn, and becomes illegible, on no account should Judgments ever be written on scraps of paper, or on the back of the Vernacular petition or order, as is now not unfrequently the case.

English record to be of uniform size and on strong paper.

2. On every sheet or separate paper, the number of sheet, and the names of parties to the case, should be written in the Vernacular, as well as in English, the Heading of the Deposition should also distinguish whether it is that of the Plaintiff, Defendant, the Plaintiff's witnesses, or Defendant's witnesses.

Every sheet to be numbered and named in Vernacular as well as in English.

3. All English papers should be placed in full size without folding (as creases tend to tear the paper) between a cover of strong country paper, which should have the name of the Case and Court on it, in Vernacular, and they will then form a separate file of themselves, attached by string, however, to the Vernacular file; they should not be tied up indiscriminately with the Urdu papers, but should be separately strung together.

How to be attached to file.

4. An additional fly-leaf is to be added to every Misd. containing an Index in Vernacular of the English papers, as well as the Vernacular papers, belonging to the Misd., to be signed by the Reader of the Court on a record on which every Native Official through whose hands the files may pass, is to certify to the correctness of the Index.

Index of English as well as Vernacular papers, to be prepared in Vernacular.

5. The Reader of the Court will not let the Misd. pass out of his hands till the Record-Keeper or other Munchi taking it has certified the correct-

Each person through whose hands



Misl passes to be responsible for its contents.

Files not to remain in hands of Court Officials, but to be speedily returned to Record Room.

Translation of English Judgment.

Despatcher to be appointed.

ness of the Index, which course will be followed by every succeeding Munshi who requires the Misl for any purpose.

6. All the files of Original, Miscellaneous, and Appeal cases disposed of, should reach the Record Room within a month from date of disposal, and the practice that now obtains of keeping cases for a long time after decision must cease. The Presiding Officer of the Court will be held responsible for seeing this rule strictly carried out.

7. When an English Judgment is recorded, and one or both of the parties interested in the suit are natives, a Vernacular translation of such Judgment, shall be put up, and form part of the Record; the Officer presiding in the Court will be responsible, (even if the translation is not made by himself,) that it shall be a correct and intelligible translation of the Judgment and it shall not be placed on the Record till it has been passed as correct and signed by the Judge.

8. In every Office, if not already existing, an Official must be appointed as a responsible Despatcher and Receiver of files, who before despatch to or receipt from another Court, District, or Division, will certify to the correctness of the Indices of Vernacular and English papers, immediately bringing to the notice of the head of the Office if any papers are missing. The last certifying Official will thus be made to feel his responsibility, and it is believed the loss or fraudulent abstraction of papers will soon cease.

9. When records or papers are called for by an Appellate, Revision or other Court, a list of the files in Vernacular shall be prepared in the annexed form, and transmitted with the files to the Appellate or other Court.

Number.	No. of Register.	NAME OF PARTIES.		Claim or charge.	Date of decision of case.	No. of papers in file.	Date of despatch of file.	Signature of despatching Official.	Signature of receiving Official.	REMARKS.
		Plaintiff.	Defendant.							

10. On receipt of the files by the Appellate or other Court, the proper Officer will check the list, and if correct, note the date, and sign it with his

intitil; if incorrect, he will make a note of the error on the list, and lay it at once before the Appellate or other Court for orders.

11. When the Appeal has been disposed of, the same list will be returned with files to the Lower Court. The Officer by whom the files were despatched in the first instance, will cause the list to be compared with the files received, and if correct will return it duly attested as such, to the Appellate Court to be filed with the records of the case to which it belongs as a receipt; such receipt should be forwarded not later than the day after the file has been received.

12. The despatching Officer should also satisfy himself, before transmitting the files, that the papers entered in the Indices of the files are complete. It occasionally happens that files are received unaccompanied by the English Judgment, Arbitration Award, or some other important paper; if the course now enjoined be strictly followed, no such accidental losses, or fraudulent abstractions, can help being discovered at once, and the fault brought home to the responsible Official.

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### NOTIFICATION.

No.  $\frac{96}{103 \text{ II.}}$  of 1901.

*Dated Abu, 24th January 1901.*

In exercise of the powers conferred by section 13 of the Excise Act, 1896, (XII of 1896) and, with the previous sanction of the Governor-General in Council, the Chief Commissioner of Ajmer-Merwara is pleased, in supersession of all previous orders on the subject, to impose a duty of Rs. 4 per seer on Ganja imported for consumption in Ajmer-Merwara, with effect from the 1st April, 1901.

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### NOTIFICATION.

*Abu, the 11th September 1901.*

No. 1137-401-A.—In exercise of the power conferred by section 1, sub-section 3, of the Indian Petroleum Act, 1899 (VIII of 1899), the Chief Commissioner is pleased to extend to the Province of Ajmer-Merwara so much of the said Act as does not already extend to the said Province.

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No. 3930 S.,—*Dated Mount Abu, 18th October 1901.*

The following rules made by the Beawar Municipal Committee under section 19 of the Vaccination Act XIII of 1880, for the regulation of vaccine operations within the limits of the Beawar Municipality and confirmed by the Honourable the Chief Commissioner of Ajmer-Merwara are hereby published for general information,

THE HON'BLE THE CHIEF COMMISSIONER OF AJMER-  
MERWARA, PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

*Mount Abu, the 18th October 1901.*

No. 3930-S.—The following rules made by the Beawar Municipal Committee, under section 19 of the Vaccination Act, XIII of 1880, for the regulation of vaccine operations within the limits of the Beawar Municipality and confirmed by the Hon'ble the Chief Commissioner of Ajmer-Merwara, are hereby published for general information :—

DIVISION OF THE MUNICIPALITY INTO CIRCLES FOR THE PERFORMANCE OF  
VACCINATION.

I. The area of the Beawar Municipality shall be considered one circle for, the purpose of these rules.

APPOINTMENT OF A PLACE IN THE CIRCLE AS A PUBLIC VACCINE STATION.

II. The Municipal Committee will provide a Vaccination office in a convenient situation and a board will be set up at this office and maintained there, bearing the words "Vaccination Station," followed by a notice setting forth for public information the name of the Public Vaccinator, and the hours of the daily attendance at the station on vaccination duty, and a notice also notifying that the Public Vaccinator will, on due request made, attend for the vaccination of children at their houses in the circle, and a notice that no charge will be made for vaccination, whether preformed at the station or at the child's home.

III. The Civil Surgeon of Ajmer shall, *ex-officio*, be Superintendent of Vaccination within the limits of the Beawar Municipality.

The Assistant Surgeon of Beawar shall, *ex-officio*, be Assistant Superintendent of Vaccination within the limits of the Beawar Municipality.

THE AUTHORITY WITH WHICH THE APPOINTMENT, SUSPENSION AND DISMISSAL OF  
PUBLIC VACCINATOR SHALL REST.

IV. The Public Vaccinator shall be appointed by the Municipal Committee, on the nomination of the Superintendent, and may, for recorded misconduct, be suspended or dismissed from office by the Municipal Committee, on the recommendation of the Superintendent.

THE TIME OF THE ATTENDANCE OF THE PUBLIC VACCINATOR AT THE VACCINE STATION, THE VACCINATION SEASON, AND THE PUBLIC VACCINATOR'S PLACE OF RESIDENCE.

V. The hours of daily attendance of the Public Vaccinator at the Vaccine Station shall be fixed by the Superintendent.

VI. The Public Vaccinator shall be a permanent resident of the circle and shall be absent therefrom only for such periods of leave as may be granted by the Superintendent.

VII. The Vaccination season is the period of six months, extending from 1st October to 31st March.

THE DISTINGUISHING MARK OF BADGE TO BE WORN.

VIII. The Public Vaccinator shall at all times when engaged in the duties of his office wear a badge in the form of a brass plate, with the words, Public Vaccinator, Beawar Municipality, engraved on it.

THE FACILITIES TO BE AFFORDED TO PEOPLE FOR PROCURING THE VACCINATION OF CHILDREN AT THEIR HOUSES.

IX. The Public Vaccinator shall vaccinate children of the circle at their houses at the request of a parent or guardian or at any other place within the circle by direction of the Superintendent  
Assistant Superintendent. He may also visit and vaccinate children residing beyond the circle at the request of a parent or guardian and with the permission of the Superintendent  
Assistant Superintendent.

THE GRANT AND FORM OF CERTIFICATES OF SUCCESSFUL VACCINATION OF UNFITNESS FOR VACCINATION OR OF INSUSCEPTIBILITY TO VACCINATION.

X. Certificates of vaccination shall be in the form (A) hereto annexed.

XI. Certificates of unfitness for vaccination shall be in the form (B) hereto annexed.

XII. The Public Vaccinator shall issue to the parent or guardian a certificate of vaccination in form (A) on account of every child vaccinated on the day of vaccination, and shall complete the certificate on the day of examination, and he shall also issue to the parent or guardian a certificate in form (B) of unfitness for vaccination on account of every child found unfit on the day of its examination. All cases of reported unfitness for vaccination shall be referred by the Vaccinator to the Superintendent  
Assistant Superintendent, whose countersignature to every certificate issued in form (B) will be necessary.

Before final delivery to the parent or guardian of any certificate, the Public Vaccinator shall complete and sign the entries of its fly-leaf, which shall remain bound in the book of such certificates. The Public Vaccinator shall be provided with books of the above forms (A and B).

## THE NATURE OF THE LYMPH TO BE USED AND THE SUPPLY OF A SUFFICIENT QUANTITY OF SUCH LYMPH.

XIII. The lymph ordinarily used by the Public Vaccinator shall be human lymph supplied to the Superintendent under orders of the General Superintendent of Vaccination, Rajputana, in tubes at the commencement of every vaccination season and continuously preserved during the season upon ivory points, charged by the Public Vaccinator from selected vesicles of the 7th and 8th day, formed upon the arms of healthy children, and arm to arm vaccination shall be sedulously practised, but lymph shall not be taken for any purpose from an unhealthy or weakly child, and more especially not from a child with appearance of skin disease. In case of failure of the lymph supply at any time of the season, the General Superintendent of Vaccination, Rajputana, or such medical officer as he may direct, will renew the supply in tubes.

In the event of a considerable demand for vaccination with animal lymph arising in the circle, the Superintendent shall cultivate such lymph for use in the circle.

The vaccination needles and ivory points will be supplied to the Public Vaccinator free of charge by the Civil Surgeon.

## FEE TO BE LEVIED FOR VACCINATION WITH HUMAN OR ANIMAL LYMPH.

XIV. No fee shall be charged for vaccination with human or animal lymph of a child residing beyond the circle limits. The operation and inspection being performed at the child's home, the Public Vaccinator shall demand a fee of four annas.

## THE PREPARATION AND KEEPING OF CERTAIN REGISTERS.

XV. The Municipal Committee shall take measures to prepare and keep the following Registers in the forms appended to these rules:—

(1) Register of infants born within the circle on or after the 1st April, 1901, with record of vaccination or reason for non-vaccination, in every muhalla of the Municipality.

(2) Register of the names of children now resident in or brought into Municipal limits after the 1st April, 1901, who have not been vaccinated or have not had small-pox, such children having resided in the Municipality for a month, and being, if boys, under the age of 14 years, if girls under the age of 8 years.

XVI. The general register of vaccinations performed in the circle, and forms of monthly returns will be supplied by the Superintendent, i.e., the Civil Surgeon of Ajmer.

XVII. At the commencement of every vaccination season, the Secretary, Municipal Committee, shall cause notices to be affixed for public information in very important portion or quarter of the circle in the accompanying form (C) both in Hindi and Urdu.

The Secretary, Municipal Committee, may at any time of the vaccination season direct the public crier to call attention to these notices.

#### THE PREPARATION OF VACCINATION REPORTS AND RETURNS.

XVIII. A monthly figured statement of results shall be submitted by the Public Vaccinator to the Superintendent during the five months of the vaccination season in the established departmental form. At the same time a copy should be sent to the Municipal Committee.

The Public Vaccinator shall submit to the Superintendent and the Municipal Committee a figured statement of results for the season after its termination, together with a concise report upon the working of the Act during the season.

#### MISCELLANEOUS.

XIX. All fees received by the Public Vaccinator shall be credited to the Municipal Fund.

XX. If at any time of a vaccination season the <sup>Superintendent</sup>  
Assistant Superintendent of Vaccination shall have proof that a parent or guardian has failed to procure the vaccination of a child liable to vaccination under the Act, he shall cause to be delivered to such parent or guardian, or to be attached to his house, a notice in the accompanying form (D).

If such a notice is not complied with, the <sup>Superintendent</sup>  
Assistant Superintendent of Vaccination shall report the matter to Secretary, Municipal Committee, who will proceed as directed in section 18 of the Act.

G. G. WHITE, *M. I. C. E.*,

*Secretary to the Chief Commissioner, Ajmer-Merwara,  
in the Public Works Department.*

(FLY LEAF.)		CERTIFICATE OF VACCINATION ISSUED ON							OF	19 .
REGISTER No.	Register No.	VACCINATED CHILD.			PARENTS OR GUARDIAN.			RESULT OF OPERATION.		
		Name.	Sex.	Age.	Name.	Caste.	Place of abode.			
Date of presentation .								Case examined on the and found		
Result . . . .	<p>NOTE.—The child herein mentioned is to be presented with the certificate for examination.</p> <p style="text-align: right;"><i>Public Vaccinator.</i></p>									
Record of instructions.	<p>Certified that the above is a true account of the vaccination it records.</p> <p>This certificate was given to with instructions to</p>									
Public vaccinator .	<p><i>Superintendent of Vaccination.</i> <span style="float: right;"><i>Public Vaccinator.</i></span></p>									

The entry in the column of results should be (1) "successful," or (2) "unsuccessful," or (3) "unsuccessful for the third time."

The instruction should be (1) to "preserve the certificate," or (2) to "present the child for re-vaccination," or (3) to "consider further vaccination of the child unnecessary."

Instructions in Form (3) shall be countersigned by the Superintendent.

Certificate of unfitness for vaccination shall be in the following form :—

B.—BEAWAR MUNICIPALITY.

No. DATE.	No. CERTIFICATE OF UNFITNESS FOR VACCINATION—ISSUED ON of, 19 .						
NAME OF CHILD.	CHILD.			PARENT OR GUARDIAN.			INSTRUCTIONS.
	Name.	Sex.	Age.	Name.	Caste.	Place of abode.	
Name of parent and place of abode . . . .							Child to be presented for re-inspection on .
Cause of unfitness . . .	I hereby certify that the abovenamed child was presented to me for vaccination this day and found unfit for vaccination for a period of by reason of						
Instructions . . .	Countersigned.						
Public vaccinator . . .	<i>Superintendent of Vaccination</i> <i>Public Vaccinator.</i>						

The instruction entry should denote (1) a fixed date of the current vaccination season, or (2) a period of the next vaccination season.

FORM C.

*Public Notice, dated*

The public are hereby informed that the vaccination season of 19 commenced on the and this is to give notice that, in obedience to the law, every unvaccinated child of more than six months of age, resident within the Beawar Municipality, should be presented by its parent or guardian to the Public Vaccinator for inspections, with a view to its vaccination, if found in good health.

*Secretary, Municipal Committee.*

FORM D.

Notice issued under section 17 of Vaccination Act on the of 19 .  
(Name) of (Address) Beawar

The above-named (name) is required to present to the Public Vaccinator the undermentioned child (or children) on the of 19 .  
for examination, with a view to the vaccination of such child (or children).

Name or Description of child (or children.)

*Superintendent of Vaccination.*



Form I.

*Vaccination Register of Infants for*

Sex	Age	Address	Parent or guardian	Signature

Form II.

*Notification No. 312.—Dated Mount Abu, the 29th January 1902.*

The Honourable the Chief Commissioner is pleased, in supersession of the Notification No. 436, dated the 30th May 1883, to order that, with effect from 1st January 1902, the Nasirabad Octroi Fund shall cease to exist as a distinct Local Fund, and shall form part of the General Fund of the Cantonment at Nasirabad.

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*Notification No. 436 of 1902.—Dated Abu, the 13th May 1902.*

Under section 28 of Act XXI of 1883, (Indian Emigration Act) as amended up to 5th March 1897, the Honourable the Chief Commissioner is pleased to appoint the Extra Assistant Commissioner, Second Grade, and Magistrate of the First Class, Ajmer, to perform within the District of Ajmer, subject to the control of the District Magistrate, Ajmer, the functions of a Registering Officer under the said Act.

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Rules for the treatment of counterfeit coins by Judicial Officers in the District of Ajmer-Merwara, sanctioned by the Honourable the Chief Commissioner, Ajmer-Merwara, in his letter No.  $\frac{623}{65911}$ , dated 1st, June 1899.

Counterfeit coins with regard to the disposal of which orders are required under the provisions of sections 517, 523 and 524 of the Criminal Procedure Code, should be sent to the mint at Calcutta or Bombay. If the person who, in the opinion of the Court, is entitled to the possession thereof, does not wish the counterfeit coin to be sent to the mint, unless the broken pieces are afterwards returned to him, the coin should not be sent at all. It is however, open to the Court or Magistrate passing orders, in cases in which the person entitled to its possession is otherwise unwilling to part with it to forward the coin to the Collector or Treasury Officer who may purchase it from him at a suitable price, not in any case exceeding its nominal value charging its cost to Government. This course should only be followed when from the excellence of the execution, or for any other special cause, it seems desirable that the coin should be acquired as a specimen, and the officer purchasing the same should, when forwarding it to the mint, state at the same time the grounds upon which its purchase was considered desirable.

In the event of the coin not being purchased, the Collector or Treasury Officer, as the case may be, should return it to the Court or Magistrate by whom it was sent, for disposal according to law.

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